

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

36th Legislative Day

March 21, 1997

Speaker Madigan: "The House shall come to order. The House shall come to order. The Members shall be in their chair. The Chair wishes to welcome Representative Black to the chamber. We shall be led in prayer today by the Representative Coy Pugh, who is the Assistant Pastor with the Fernwood United Methodist Church in Chicago. The guests in the gallery may wish to rise and join us in the invocation. Reverend Pugh."

Reverend Pugh: "Shall we pray. O' Heavenly God, God of our ancestors, Abraham, Isaac, and Jacob. Lord, we come before You with bowed heart and bended knee, asking, O' Lord, that You have mercy upon us according to Thy loving kindness. According unto the multitude of Thy tender mercies, blot out our transgressions, wash us thoroughly of our iniquity and cleanse us from our sin. Hang us high and drip us dry of all this sin that we have committed, O' Lord, God. Lord, we acknowledge our transgressions and our sin is ever before us, against Thee, Thee only have we sinned and done evil in Thy sight. Behold, O' Lord, we were shapen in iniquity and in sin were we conceived. Touch, tutor, and stir our hearts, O' God, that we may not only become better than we are, but that we may, that may we desire to be better than we are each and every day. Hide Thy face from our sins, O' Lord, create in us a clean heart. Tutor our hearts, O' Lord, and renew a right spirit within us. Cast us not away from Thy presence O' Lord, and then, and then, O' Lord, when we have traveled the last mile of the way, when we have traveled up the rough side of the mountain O' Lord, create for us a bed of hope and lay us down with a cushion of comfort, and lay us with a pillow of peace. And then, O' Lord, and then, let freedom ring. Let freedom ring on the mountain, in the valley. Let freedom ring each

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and every day. We pray. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Black."

Black - et al: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Madigan: "Very good. Very good, Mr. Black. Roll Call for Attendance. Mr. Cross."

Cross: "Thank you, Mr. Speaker. We're all here on the Republican side."

Speaker Madigan: "Thank you, Mr. Cross. Mr. Granberg, are there any excused absences?"

Granberg: "No."

Speaker Madigan: "The Clerk shall take the record. There being 117 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative McGuire, Chairman from the Committee on Aging, to which the following Bills and Resolutions were referred, action taken on March 20, 1997, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 1780, and House Bill 1782; 'do pass as amended Short Debate' House Bill 1227, House Bill 1298, and House Bill 1614. Representative Woolard, Chairman from the Committee on Agriculture and Conservation, to which the following Bills and Resolutions were referred, action taken on March 20, 1997, reported the same back with the following recommendations: 'do pass Standard Debate' House Bill 324, House Bill 1679, House Bill 1680, and House Bill 2156. Representative Lopez, Chairman from the Committee on Consumer Protection, to which the following Bills and

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Resolutions were referred, action taken on March 20, 1997, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 416, House Bill 519, House Bill 796, House Bill 806, House Bill 1163, and House Bill 1249; 'do pass as amended Short Debate' House Bill 43, House Bill 1113, and House Bill 1504; 'do pass Standard Debate' House Bill 702, House Bill 1149, House Bill 1276, House Bill 1595, House Bill 1596, House Bill 1597, House Bill 1598, House Bill 1635, and House Bill 1674. Representative Burke, Chairman from the Committee on Executive, to which the following Bills and Resolutions were referred, action taken on March 20, 1997, reported the same back with the following recommendations: 'do pass Standard Debate' House Bill 1137; 'do pass as amended Standard Debate' House Bill 162 and House Bill 1819; 'be adopted' Floor Amendment #1 to House Bill 190. Representative Flowers, Chairman from the Committee on Health Care Availability, to which the following Bills and Resolutions were referred, action taken on March 20, 1997, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 333, House Bill 603, House Bill 843, House Bill 974, and House Bill 1565; 'do pass as amended Short Debate' House Bill 626; 'do pass Standard Debate' House Bill 1562. Representative Pugh, Chairman from the Committee on Human Services, to which the following Bills and Resolutions were referred, action taken on March 21, 1997, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 1805, House Bill 1336, House Bill 1030, House Bill 1706, and House Bill 1781; 'do pass as amended Short Debate' House Bill 1294 and House Bill 1556; 'do pass Standard Debate' House Bill 1460. Representative Mautino,

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Chairman from the Committee on Insurance, to which the following Bills and Resolutions were referred, action taken on March 20, 1997, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 1330 and House Bill 1232; 'do pass Standard Debate' House Bill 2284, House Bill 2283, and House Bill 2282. Representative Dart, Chairman from the Committee on Judiciary I - Civil Law, to which the following Bills and Resolutions were referred, action taken on March 20, 1997, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 613, House Bill 845, House Bill 1000, House Bill 1101, House Bill 1186, House Bill 1245, House Bill 1329, House Bill 1343, House Bill 1345, House Bill 1503, House Bill 1561, House Bill 1564, House Bill 1585, House Bill 1589, House Bill 1612, House Bill 1613, House Bill 1619, House Bill 1688, and House Bill 1779; 'do pass as amended Short Debate' House Bill 474, House Bill 712, and House Bill 1140; 'do pass Standard Debate' House Bill 622 and House Bill 928; 'do pass as amended Standard Debate' House Bill 916; 'do pass Short Debate' House Bill 2066, House Bill 2150 and House Bill 2152. Representative Gash, Chairman from the Committee on Judiciary II - Criminal Law, to which the following Bills and Resolutions were referred, action taken on March 20, 1997, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 1092, House Bill 1285, House Bill 1290, House Bill 1155, House Bill 1254, House Bill 1535, House Bill 1548, House Bill 1558, House Bill 1670, House Bill 1822, House Bill 2015, House Bill 2069, House Bill 2121, House Bill 2138, House Bill 2178, House Bill 2232, House Bill 2235, House Bill 2244, House Bill 2260, and House Bill 2287; 'do pass

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Standard Debate' House Bill 2254, House Bill 2255, House Bill 2256 and House Bill 2258; 'do pass as amended Standard Debate' House Bill 2257. Representative Schakowsky, Chairman from the Committee on Labor and Commerce, to which the following Bills and Resolutions were referred, action taken on March 20, 1997, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 228, House Bill 935, House Bill 1176, House Bill 1869; 'do pass Standard Debate' House Bill 194, House Bill 1843, House Bill 2079, House Bill 2085, House Bill 2098, House Bill 2100 and House Bill 2078; 'do pass as amended Standard Debate' House Bill 588, and House Bill 1195. Representative Stroger, Chairman from the Committee on Local Government, to which the following Bills and Resolutions were referred, action taken on March 20, 1997, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 2241, House Bill 2245, House Bill 794, House Bill 2161; 'do pass as amended Short Debate' House Bill 1395, House Bill 1250, House Bill 1193, House Bill 1018, House Bill 1420, House Bill 1188, House Bill 641 and House Bill 1223; 'do pass Standard Debate' House Bill 1470, House Bill 1740, and House Bill 1234; 'do pass as amended Standard Debate' House Bill 1396 and House Bill 305. Representative Murphy, Chairman from the Committee on Personnel and Pensions, to which the following Bills and Resolutions were referred, action taken on March 21, 1997, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 7, House Bill 15, House Bill 23, House Bill 110, House Bill 251, House Bill 313, House Bill 372, House Bill 409, House Bill 577, House Bill 708, House Bill 718, House Bill 811, House Bill 813, House Bill 1136, House Bill 1347, House Bill 1421, House Bill 1496, House Bill

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2047; 'do pass as amended Short Debate' House Bill 593, House Bill 914, and House Bill 1296. Representative Jones, Chairman from the Committee on Public Utilities, to which the following Bills and Resolutions were referred, action taken on March 20, 1997, reported the same back with the following recommendations: 'do pass as amended Short Debate' House Bill 1148; 'do pass Standard Debate' House Bill 1915. Representative Saviano, Chairman from the Committee on Registration and Regulation, to which the following Bills and Resolutions were referred, action taken on March 20, 1997, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 1168, House Bill 805, and House Bill 2120. Representative Moore, Chairman from the Committee on Revenue, to which the following Bills and Resolutions were referred, action taken on March 20, 1997, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 21, House Bill 141, House Bill 183, House Bill 314, House Bill 533, House Bill 571, House Bill 981, House Bill 1012, House Bill 1314, House Bill 1414, House Bill 1415, House Bill 1455, House Bill 1533, House Bill 1696, House Bill 1821, House Bill 1826, House Bill 1840, House Bill 1841, House Bill 2200, House Bill 2113, House Bill 2188; 'do pass as amended Short Debate' House Bill 125, House Bill 142, House Bill 275, House Bill 381, House Bill 524, House Bill 525, House Bill 528, House Bill 648, House Bill 693, House Bill 982, House Bill 992, House Bill 1067, House Bill 1310, House Bill 1317, House Bill 1341, House Bill 1384, House Bill 1513, House Bill 1802, House Bill 2060, and House Bill 2117; 'do pass Standard Debate' House Bill 113, House Bill 145, House Bill 697, House Bill 1020, House Bill 1087, House Bill 1255, House

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Bill 1738, House Bill 1748, House Bill 2191, House Bill 2192, House Bill 2197, House Bill 2199, House Bill 2201, and House Bill 2203; 'do pass as amended Standard Debate' House Bill 166, House Bill 999, and House Bill 1454; 'do pass as amended Short Debate' House Bill 2189 and House Bill 2219. Representative Bugielski, Chairman from the Committee on Banks Selling Insurance, to which the following Bills and Resolutions were referred, action taken on March 21, 1997, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 586. Representative Deering, Chairman from the Committee on Transportation, to which the following Bills and Resolutions were referred, action taken on March 20, 1997, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 762 and House Bill 1501."

Speaker Madigan: "On the Order of House Bills - Second Reading, there appears House Bill 401. The Clerk advises me that this matter is on Third Reading, and the Bill shall be placed on the Order of Second Reading for the purposes of an Amendment. Mr. Clerk. The Amendment has been filed, it will be considered by the Rules Committee. So, Mr. Clerk, have we announced a meeting of the Rules Committee? The Clerk advises me that the meeting is set for 12:35 in the Speaker's Conference Room...12:45 in the Speaker's Conference Room. We shall be on the Order of House Bills - Second Reading, and the Chair plans to call those Bills where we've been advised that the Bill can move from Second to Third Reading. So, the first, there is House Bill 1 by Mr. Daniels. Mr. Black, is that Bill ready to be moved to Third? Take it out of the record? Take the Bill out of the record. House Bill 29, Mr. Dart. Take it out of the

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record. House Bill 63, Mr. Dart. House Bill 82, Mr. McGuire. Mr. McGuire. House Bill 82, do you wish to call your Bill? House Bill 82, Mr. McGuire. Okay. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 82, a Bill for an Act to amend the School Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Madigan: "Third Reading. House Bill 87, Mr. Dart. House Bill 111, Representative Gash. One eleven. House Bill 124, Mr. Black. The Clerk advises me that the Bill is not ready to be called. Thank you. House Bill 152, Mr. Fritchey. Mr. Fritchey. House Bill 153, Representative Wood. Representative Wood. Do you wish to call your Bill? House Bill 154, Representative Cowlshaw. One fifty-four, Representative Cowlshaw. House Bill 168, Mr. Lang. Take it out of the record. House Bill 175, Mr. Lang. Take it out of the record. House Bill 177. Take it out of the record. One seventy-eight. Take it out of the record. Mr. Lang, you should find some Republican Sponsors for these Bills. One eighty-two, Mr. Lang. One eighty-two. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 182, a Bill for an Act amending the Criminal Code of 1961. Second Reading of this House Bill. No Committee amendments. Floor Amendment #1, offered by Representative Lang, has been approved for consideration."

Speaker Madigan: "Mr. Lang."

Lang: "Thank you. Mr. Speaker, will you take this out of the record briefly? I have to find my notes on the file."

Speaker Madigan: "The Bill shall be taken out of the record. House Bill 201, Representative Moore. Andrea Moore. Take it out of the record. House Bill 218, Mr. Granberg. Mr.



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Clerk, read the Bill."

Clerk Rossi: "House Bill 218, a Bill for an Act amending the Illinois Vehicle Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. House Bill 255, Mr. Novak. Mr. Clerk, read the Bill. Two fifty-five."

Clerk Rossi: "House Bill 255, a Bill for an Act amending the Illinois Low Level Radioactive Waste Management Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments."

Speaker Madigan: "Third Reading. For what purpose does Representative Flowers seek recognition?"

Flowers: "Thank you, Mr. Speaker. Mr. Speaker, I would appreciate it if you would recess the House for about 15 minutes, so COWL could have a caucus in the rear please. Only for about 15 minutes, Mr. Speaker."

Speaker Madigan: "I don't believe the rules provide for recessing the House for that type of caucus meeting. House is in Session."

Flowers: "Well, I just thought we could just have a 15 minute caucus meeting for COWL since we won't be able to get together for another two weeks. So, if you could just...Mr. Speaker, if you could just please make an exception."

Speaker Madigan: "Representative Flowers, we're not going to recess the House except for party caucuses. We will adjourn early, and everybody who wants to meet can meet after adjournment."

Flowers: "Well, Mr. Speaker, if you insist, but the only thing we wanted to do was to meet for about 15 minutes to discuss some very important issues that was on the Calendar, but if

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you want us to wait, I guess the members of COWL will be, this time will be patient. Thank you very much, Mr. Speaker."

Speaker Madigan: "House Bill 256, Mr. Novak. Do you wish to call the Bill? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 256, a Bill for an Act to amend the Environmental Protection Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. House Bill 258, Mr. Novak. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 258, a Bill for an Act amending the Environmental Protection Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments."

Speaker Madigan: "Third Reading. House Bill 259, Mr. Novak. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 259, a Bill for an Act to amend the Environmental Protection Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. House Bill 261, Mr. Novak. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 261, a Bill for an Act amending the Illinois Ground Water Protection Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. House Bill 268, Representative Shirley Jones. Two sixty-eight, Representative Shirley Jones. Mr. Clerk, take the Bill out of the record. House Bill 310, Mr. Parke. Mr. Parke. Is Mr. Parke in the chamber? Do you wish to call your Bill? It's House Bill 310, amends the Unemployment Insurance Act. Take it out of

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the record. House Bill 321, Representative Andrea Moore.  
Andrea Moore. Yeah, take it out of the record. For what  
purpose does Mr. Stephens seek recognition?"

Stephens: "Just to, to let the Gentlemen in the chamber know that  
the American Legislative Leaders will not be meeting after  
caucus."

Speaker Madigan: "Thank you, Mr. Stephens. Mr. Johnson. Tom  
Johnson."

Johnson, Tom: "Yes, Mr. Speaker, could I have this caucus moved  
to the rear? I cannot hear a thing. This is right in  
front of me and this is a lot of commotion, and could you  
have them move to the rear? Mr. Speaker, can we have some  
order in the chamber, Mr. Speaker, and move them to the  
rear? I won't let my rights be trampled on, Mr. Speaker.  
Will you please...?"

Speaker Madigan: "That's right, Mr. Johnson. You're right. All  
good things come to those who wait, Mr. Johnson. Mr.  
Black."

Black: "Mr. Speaker."

Speaker Madigan: "Mr. Black."

Black: "Yes. A Motion to Adjourn is always in order. I would  
make a Motion to Adjourn. We've lost control, let's go  
home."

Speaker Madigan: "Mr. Black, we have one Bill by Representative  
Zickus, who has told us that she'd like to consider her  
Bill today. Page 49 of the Calendar, on the Order of  
Senate Bills - Second Reading, there appears Senate Bill  
51. Mr. Clerk, has this Bill been read a second time?"

Clerk Rossi: "The Bill has been read a second time previously."

Speaker Madigan: "Are there any Amendments, any Motions?"

Clerk Rossi: "No Committee Amendments. No Floor Amendments. No  
Motions filed."

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Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 51, a Bill for an Act concerning government finances. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Zickus."

Zickus: "Thank you, Mr. Speaker. Senate Bill 51 has seven provisions. One provision allows non-home rule taxing districts in Cook County the ability to recover the amount of the equalized assessed value of a redevelopment project area terminated prior to 1994, in the first year after the termination of the district. In 1993, the Village of Oak Lawn paid... retired a TIF district, and what has happened because of the way the law is written, it cannot be considered new property until January 1st of 1994 and it's causing a financial hardship on the school district. The second provision of this Senate Bill grants an exception to the three year time period for issuing a certificate of error for certificates issued that correct an assessment to one dollar on a parcel of property that a subdivision or plan development has acquired by adverse possession. This provision is to help a small subdivision, which was originally developed in the 1950's. However, the developer did not put a parcel that was a park. Anyway, the assessor, the assessor needs this change in able to enable them not to have to pay the taxes. Taxes are now owed on the park and the subdivision wants to keep possession. The third provision is an older household abatement and provides for a taxing district to abate property taxes on any property in the taxing district that is devoted exclusively to affordable housing for older households and it has provisions in there with age and with income. The fourth provision is a provision that is intended to make the time period for issuing a certificate of error

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consistent with the issuance of other certificates of error. The fifth one is an assessment freeze application deadline. And the sixth provision is just a clarification of law that was passed and signed by the Governor that would allow sanitary districts to be beneficiaries of a revolving loan fund that has been set up by the Metropolitan Water Reclamation District. The last provision allows a municipality that imposes a telecommunications tax, whose territory includes another unit of local government or school district to exempt the other unit of local government or school district from the municipal telecommunication taxes imposed, and I would ask for your favorable vote."

Speaker Madigan: "The Lady has moved for the passage of the Bill.

The Chair recognizes Mr. Brosnahan. Mr. Brosnahan."

Brosnahan: "Thank you, Mr. Speaker. I also stand in support of this Bill. I'm very happy to show my support for this Bill by being a cosponsor. Representative Zickus has done the lion's work on this Bill. The school district that Representative Zickus referred to about Oak Lawn is located in both our districts. This Bill would greatly increase the revenues that that school district has currently. That school district is originally school district 122, and it was going to be shutdown for three weeks this year because of their financial difficulties. And this legislation would correct that. So I would urge all Members on this side of the aisle as well as the other side of the aisle to please support this legislation. Thank you."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. I cannot bring any analysis of this Bill up on our electronic marvels here. Could we, is there a glitch in

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the system, or are we just running behind?"

Speaker Madigan: "Mr. Clerk, did you hear the question? So you don't have an answer? The Clerk advises that he's unable to answer your question, Mr. Black. Not that he doesn't like you, it's just that he doesn't have an answer."

Zickus: "I'm sorry, I didn't hear the question."

Speaker Madigan: "The Gentleman does not have a Bill analysis. Maybe your staff could provide him with a Bill analysis. Mr. Black, let me move to some other people who wish to participate in debate. I'll come back to you."

Black: "Alright. Thank you."

Speaker Madigan: "Thank you. Mr. Mautino. The Chair recognizes Mr. Mautino."

Mautino: "Thank you, Mr. Speaker, will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Mautino: "Representative, I wasn't able to hear your explanation fully. There's a provision in here which abates from tax housing for older persons if the property is used exclusively for that purpose. Can you explain that, and what's the financial impact of that? And is this also district specific?"

Zickus: "The older household abatement, it defines older households. People living in housing provided under any state or federal program that the Department of Human Rights determines is designed for senior housing, and they have to be occupied by persons 55 or older and whose annual income does not exceed 80% of the area gross median income. It restricts the abatement to no more than 15 years in the total of all abated taxes by taxing districts to no more than \$3 million. And I believe that, that it is not mandated to do so."

Mautino: "Representative, could you speak a little louder into

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the mike? Let me just ask you directly. What tax are we abating, are we abating on this?"

Zickus: "We're, what the intent is, is to provide incentive for the development of senior housing."

Mautino: "Okay. So, the question is, what are we abating specifically? Do you have an idea of what this...you know, how much money is involved in this, or has there been any fiscal discussions?"

Zickus: "It's a property tax abatement and it's limited to a total of \$3 million. It cannot exceed \$3 million, and it restricts the abatement to no more than 15 years."

Mautino: "Is that \$3 million aggregate?"

Zickus: "Yes it is."

Mautino: "And that's the total impact that you would have on this? How did you arrive at \$3 million? I mean, we were talking about abating from property tax. I don't know what your base is up there, or how many housing units that you have which would fall under the category of housing for older persons."

Zickus: "It's a, the, it's per taxing district. It limits the abated taxes by taxing districts to no more than \$3 million."

Mautino: "I see you're making some changes here for downstate county boards. Can you tell me what prompted this, or what, what you're trying to do here as far as the applications?"

Zickus: "It is to provide incentives, financial incentives for the development of senior housing."

Mautino: "Thank you."

Speaker Madigan: "The Chair recognizes Mr. Deering."

Deering: "Thank you, Mr. Speaker, will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

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Deering: "Representative, following the line of questioning that Representative Mautino was asking, the tax exemption or the abatement for housing for senior citizens or for older persons. I understand they have to meet the income standards and guidelines that the federal law implies now, but do these individuals have to own the property?"

Zickus: "One second please, while I check that."

Deering: "Do the individuals have to own the property?"

Zickus: "We're talking about abating property taxes on the property that's devoted for affordable housing. And it's for the, you know, to encourage, it's an incentive to encourage the development."

Deering: "Okay, Representative. Let me ask the same question in a different way. I'm a multi-national conglomerate, and I own a series of housing developments or rental properties that are exclusively for senior citizens that meet the federal guidelines for a tax abatement. Do I then get to utilize that tax abatement, even as a multi-national conglomerate?"

Zickus: "As long as the taxing districts would agree to do it. This is not a mandate on the taxing districts. We are trying to encourage senior housing to be developed."

Deering: "So then they have to petition the local taxing district? This is not, this is permissive legislation?"

Zickus: "It's permissive legislation, yes, Sir."

Deering: "Okay. What if one taxing district decides not to? Does it have to be unanimous?"

Zickus: "No, it would, the taxing district that they apply to, if they say 'no', it's 'no'. It's not a mandate."

Deering: "So there are no protections in here to say that corporations will get a substantial tax break while people who own property will continue to pay the taxes, is that



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correct?"

Zickus: "We're talking about property tax."

Deering: "That's right, Representative. We're talking about..."

Zickus: "To encourage the development of senior housing. It's a pro-senior Bill."

Deering: "So then you're saying that if we encourage senior housing, which we all support, but conglomerates, high, what's the word I want, the Lippo group could come in and build senior citizen housing and get a tax break while the rest of the taxpayers in a specific school district would have to pick up the slack, is that correct?"

Zickus: "This is up to your local, your local taxing district to approve it or not approve it. They don't have to do it if they don't choose to do so."

Deering: "Thank you, Representative. Let's go to another issue. The downstate county boards can create a date to change the application for senior citizens assessment freeze. The current date now is what, July the 1st?"

Zickus: "I believe so."

Deering: "Why do we want to change this? And what are we changing it to?"

Zickus: "What we're trying to do is open up the application deadline to allow greater participation for the seniors. There are seniors who apply after the statutory deadline of July 1, and they're not eligible to apply for the assessment freeze until the following year. And this opens up the process so that they're able to do so. And it puts a more, it's more consistent with the other homestead exemption deadlines."

Deering: "Well, I understand that, Representative, but we already have information out there that's been published since this law went into effect that specifies the date. If I, if I

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don't file my income taxes by the 15th of April, you know, you know they're coming after me. We just can't continue to keep changing these clauses because someone misses a date. They should have to wait until the next year, I think. Last question. Oak Lawn wants a tax cap exemption for a TIF district or something in that area. Your folks wanted these tax caps in the collar county, what are you wanting to exempt..., what are you wanting to grant the exemptions for?"

Zickus: "This is one of the rare situations where the Village of Oak Lawn retired the TIF early to help the school district. They retired it in 1993. However, they're not able to because of the way the law is written. They have...cannot...the bump comes in in January 1st of 1994. So we're just asking that this, if you retired the district in 1993, that you'd be able to access the increase."

Deering: "Thank you, Mr. Speaker, no further..."

Zickus: "And this does really nothing different than what's being done right now."

Deering: "Thank you, Mr. Speaker, no further questions."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker. I rise in support of Senate Bill 51. I think it is fair for Oak Park (sic-Oak Lawn) to be able to add back the value of the property that is no longer a TIF. For TIFs that...that finish from last year forward, that property will be recoverable aside from the tax exemption for every other community in the state. And it seems to me the fact that they were able to retire their TIF early ought not to be held against them. We are hearing from senior citizens all across the state that the timeline for applying for the senior citizen tax freeze is not working very well. In fact, we've heard that from

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assessors. As you may know, in Cook County there is no deadline for filing that application. The system works well in Cook County, and I would think we would all support the idea that downstate senior citizens ought to have easy access to file for that important, important rebate. And finally, the language that would encourage the development of housing for low income senior citizens that is permissive. It is not a mandate. Each taxing district will make the decision by itself, but it seems to me good public policy to encourage communities to help find housing for low income seniors. I think this is a good Bill, and I think we should all vote 'yes'."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Black: "Thank you. Representative, it's my understanding that the Department of Revenue believes that the situation in Oak Lawn was created not by any fault of law or the tax cap legislation, but in fact, was probably caused by an error in the extension process of the levy. And if that's the case, why do we have to correct it here in the General Assembly?"

Zickus: "This has been a problem for a while now, and this is the way that we are seeking to resolve it so that we can help get the funds to the school district."

Black: "Well if you, if you take this to its conclusion then how, how do you answer those people who will say you're creating a loophole for the property tax caps which this Body imposed upon these particular collar counties?"

Zickus: "I think what we're attempting to do here is to close a loophole. This, what happened was just a matter of poor

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timing when this TIF district was retired. We did not take into account what would happen in Cook County on a TIF district that was retired prior to 1993. As I said before, this is not doing anything different than what is being done right now. The recovered TIF law is statute and we're just asking that we be able to recover what they need when it was done before 1993. I believe there was legislation that was introduced to address this and we didn't do it last year. This is one of those glitches in the law, and I, it is having a very bad effect in this one particular area. And I believe in the other areas that have, they've been able to do this in other areas that were under tax cap."

Black: "See if you can bring me up to speed. If I owned a piece of property in this district and this Bill passes, then the increase in my assessed evaluation is going to cost me money on my property tax bill. Now, I don't know whether the property owners in this particular district would favor this kind of massaging of the law or not. I mean, as a property owner, I would tend to think that anything allowing my assessed valuation to be taxed at the highest applicable level would not be in my best interest, or am I not reading this correctly?"

Zickus: "I can tell you, Representative, what I'm hearing from the people that live in that area. They are looking at closing a loophole in the law as it exists right now. They, the school district was going to close their doors for three weeks because they didn't have the money and they're looking for some help. Once... the intent when the district was dissolved was to help the school district. They just have not been able to access the money because of the 1994 date."

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Black: "Well, if I can, Representative, in the vernacular. It would depend on whether you were the loopholer or the loopholee in this business. If I were, if I was a member of the governing body, obviously I want to capture the increased assessments so I could get the additional tax money. If I'm a property owner in said district, I'm not sure I would favor this. And that's my concern. Evidently, I'm either reading this the wrong way or simply not understanding what you're attempting to do. But I think if you look at this as closing a loophole, it would depend on which side of that hole you were standing on as to what your reaction would be to this particular provision in the Bill."

Zickus: "Representative, the TIF has been dissolved since 1993. So, in effect they are required to pay what the assessed value would be. It is no longer a TIF district."

Black: "You know, I, I'll defer to your expertise, Representative. I think the Village of Oak Lawn might need to hire a law firm that specializes in, that specializes in property tax assessments. And I'm sure that if they look around they could probably find such a law firm somewhere in Cook County, because it seems to me they have a very delicate issue here, and I would think they would need expert legal advice on the matter of assessments and property taxes. And I, I'm confident that we could find one or two firms in Illinois that could give this fine village the advice they need. Thank you, Representative."

Speaker Madigan: "Mr. Hartke."

Hartke: "Thank you very much. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Hartke: "Representative Zickus, I've got real mixed emotions about this because after listening to Representative

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Deering ask some questions which I failed to I think get a good answer or understand a good answer. And then listening to Representative Black, bottom line is I do believe that we all want to help senior citizens out to give them an extension, but as Representative Black asked you the question, 'Is this or is this not a tax increase for the property owners in Oak Lawn school district?'

Zickus: "I'm sorry, I didn't hear the end of your question."

Hartke: "Is this or is this not a property tax increase for the people that live in the Oak Lawn school district?"

Zickus: "No, I don't believe it is, Representative, because as I explained to Mr. Black, this is... the TIF was retired in 1993 and they, it is the amount that should be paid, but it is not a tax increase for those people."

Hartke: "What you're saying then, it'll be the same amount of tax rate, only on a higher equalized assessed valuation, which will now come into play because the TIF district is no longer there. And you do not want the tax caps to be applied to that property. And if that's the case, that results in a property tax increase. Now it's not going to affect me in my district at all, but it will affect you and the people that you represent if you in effect raise the property tax for the people of the district that you represent."

Zickus: "Representative, it, the TIF, the retired TIF district now by law is considered new property. So this is no different."

Hartke: "Would you repeat that? I missed that last end."

Zickus: "This is not anything different than what is being done under the statutes right now."

Hartke: "If it's not anything different then is currently being done under the statute, why are we doing it?"

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Zickus: "We are just asking for, because of that glitch in there, that this would apply to the TIF that was paid off in 1993."

Hartke: "Who created the glitch?"

Zickus: "There, I don't think there was anything that was intentional. It was just one of the things that happened. It was poor timing on the part of the village when they paid it off early. Now there wouldn't even be an issue if they had not retired the TIF."

Hartke: "Thank you very much."

Speaker Madigan: "Representative Zickus to close."

Zickus: "I just ask for your favorable support."

Speaker Madigan: "The Lady has moved for the passage of the Bill. Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Someone record Mr. Johnson as 'yes' please. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 80 'ayes', 34 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills - Third Reading, there appears House Bill 8. Mr. Clerk, put this Bill on the Order of Second Reading. Are there any Amendments? Alright. This Bill shall be left on the Order of Second Reading. Mr. Clerk, for the purpose of an announcement. Mr. Clerk."

Clerk Rossi: "The Rules Committee is meeting immediately in the Speaker's Conference Room. Rules Committee immediately in the Speaker's Conference Room."

Speaker Madigan: "On page 56 of the Calendar, there appears Motions to Discharge a Committee. House Bill 1102, Representative Slone. Representative Slone, do you wish to

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call your Motion?"

Slone: "No, Mr. Speaker, I had withdrawn that Motion. I believe I talked to the Clerks about that. Thank you."

Speaker Madigan: "Thank you, Representative. On the same Order there appears House Bill 1193, Representative Hughes. Representative Hughes. Do you wish to call your Motion? Turn on Representative Hughes. The Lady indicates she does not wish to call her Motion. House Bill 1882, Representative Hughes. The Lady indicates she does not wish to call her Motion. On the Order of the Supplemental Calendar #1... Clerk advises me we're not prepared to distribute that at this time. On page 37 of the Calendar there appears House Bills - Third Reading. House Bill 8, Mr. Moffitt. Mr. Moffitt. Clerk advises me that Bill is on the Order of Second Reading. House Bill 9, Mr. Bost. House Bill 9, Mr. Bost. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 9, a Bill for an Act amending the Illinois Income Tax Act. Third Reading of this House Bill."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. House Bill 9 seeks to cure a problem, or help cure a problem that exists here in this state, mainly in the southern part of the state. When the Clean Air Act was introduced by the Federal Government, many of our coal mines left the state, leaving us in a situation with poor economic, with a bad economic impact in southern Illinois. What this Bill attempts to do is allow companies from outside the State of Illinois that would create widgets that would implement the Clean Air Act, such as scrubbers, such as computer cards to operate and detect emissions controls on cars, to come to an area that has been negatively impacted by the Clean Air



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Act and receive an extra 5% tax credit for coming and locating in those areas. It is an attempt to try to help those areas that have been negatively impacted by the Clean Air Act. I'd be glad to answer any questions."

Speaker Madigan: "Mr. Bost has explained his Bill and he moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is 'Shall the Bill pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. This is a Third Reading Roll Call. Those in favor of the Bill vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 111 'ayes', 5 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 20, Mr. Black. Mr. Black, could you take time off from your food? House Bill 20, did you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 20, a Bill for an Act amending the Property Tax Code. Third Reading of this House Bill."

Black: "Thank you very much, Mr. Speaker. This is an outstanding Bill. It belonged to Representative Novak, but he's become very busy so he gave it to me. And it was good enough for Representative Novak, it's good enough for me. I recommend adoption."

Speaker Madigan: "Mr. Novak."

Novak: "Yes, Mr. Speaker, thank you. If this Bill's good enough for Representative Black, it's good enough for me. I recommend adoption also."

Speaker Madigan: "Mr. Granberg."

Granberg: "Will the Gentleman yield?"

Speaker Madigan: "Which Sponsor, or which one? Mr. Black."

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Granberg: "Representative Black. I'd much rather talk with him."

Black: "I see you don't trust either Representative Novak or myself, but go ahead."

Granberg: "Old habits are hard to break, so I just have to ask some questions. Could you just briefly explain the Bill?"

Black: "Yes. Representative Novak called me earlier in the year and said he was very busy with some electric deregulation material and was literally working away at 220 volts, 18 hours a day, and asked me if I'd pick up this Bill. I said, 'Representative Novak, what does the Bill do?' He said, 'I don't know, but it's a good Bill.' But, now that I've had a chance to stall and get my copy, since my computer is broken, let me tell you what this Bill does. This Bill, and now I know why it's a good Bill, it was brought to us by the Iroquois County Board. A county that Representative Novak and I and Representative Rutherford have the privilege of representing. It allows a Homestead Exemption to remain in effect for a property for that year in which it is sold. It was suggested to us by the Iroquois County Board. It is supported by the County Assessment Officers Association, the Illinois Association of Realtors, the Farm Bureau, the Township Officials of Illinois. What was happening evidently in some counties, Representative Granberg, when the property was sold that exemption, that Homestead Exemption, was automatically removed. And so, there was no pro rata given to the new owner. And if that owner had forgotten to sign up at the appropriate time in the next fiscal year, then of course, they wouldn't have gotten the Homestead Exemption either. This just keeps the exemption with the property. Outstanding Bill."

Granberg: "Representative Black, one more question. If you're representing Iroquois County, do you have statewide

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ambitions? Maybe you should talk to Representative Lang about a strategy."

Black: "Representative Lang has been up there I think six times in the last month. He was even a speaker at a Lincoln Day Dinner I think. He got confused, but they were glad to see him anyway."

Speaker Madigan: "Mr. Black moves for the passage of the Bill. Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? This is a Third Reading Roll Call. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Stephens. Have all voted who wish? The Clerk shall take the record. On this question there are 116 'aye', 0 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 25, Mr. Durkin. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 25, a Bill for an Act amending the Rights of Crime Victims and Witnesses Act. Third Reading of this House Bill."

Speaker Madigan: "Mr. Durkin."

Durkin: "Thank you very much, Mr. Speaker. This Bill will, amends the Crime Victims Act and all it really does it allows a...the county board to contract with a private entity to provide victim notification services."

Speaker Madigan: "The Gentleman has explained the Bill and moved for the passage of the Bill. There being no discussion, the question is, 'Shall the Bill pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? This a Third Reading Roll Call. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 116 'ayes', 0 'no'. This Bill, having received a

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Constitutional Majority, is hereby declared passed. House Bill 28, Mr. Dart. Mr. Tom Dart. The Gentleman indicates he does not wish to call the Bill. House Bill 31, Mr. Steve Davis. The Gentleman indicates he does not wish to call the Bill. House Bill 32, Mr. Dart. Gentleman indicates he does not wish to call the Bill. House Bill 38, Mr. Dart. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 38, a Bill for an Act amending the Illinois Municipal Code. Third Reading of this House Bill."

Dart: "Thank you, Mr. Speaker, Members of the House. House Bill 38 is a minor change in the fast track legislation dealing with demolitions. It increases the level of structures one level. It allows for commercial units to be utilized in the same fashion. I move for its adoption."

Speaker Madigan: "The Gentleman has moved for the passage of the Bill. Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Black: "Representative, does this only affect the City of Chicago?"

Speaker Madigan: "Mr. Dart."

Dart: "This is for the City of Chicago for its Fast Track Demolition Program. It's a Bill that I'm sponsoring for them."

Black: "What, in other words, it has no impact on any of the cities that I represent? As to how abandoned property could be demolished, it has no impact on any city except the City of Chicago? Is that the issue here?"

Dart: "Representative, it was an issue in the City of Chicago, but it affects the state, the entire state."

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Black: "Okay. So every, every municipality would be impacted by Mayor Richard Daley's Fast Track Demolition Program?"

Dart: "Yeah, this is an initiative that most neighborhoods are pretty much in favor of. It was brought to me by constituents as a matter of fact, because most of these homes we're talking about are being used by dope dealers and prostitutes right now. And under the existing statute they are unable to dispense with these properties in such a way to try to clean up their neighborhoods. Virtually every neighborhood group that I've come in contact with has been, this is one of the top priorities they have. In my district in particular, we have a lot of problems with these very types of structure. For no reason other than just picking a number, the number had been set at two flats. This raises it up one level. And that's basically the extent of the Bill and it's to get after the problem with the gangs, the drugs, and prostitution that goes on in some neighborhoods in these abandoned buildings."

Black: "Does it, the underlying rights of due process, ownership, notification, et cetera, that all stays in tact. I mean, my concern is that in some downstate areas, particularly as our demographics are a little older I think than the City of Chicago, a building may well be abandoned, but the children may be in California or Texas. They come home to sell it or fix it up after Mom or Dad passes on, and they find that its been torn down. I just want to make sure there's some still, that there's still some basic rights of due process and ownership before the building is demolished."

Dart: "Sure, Representative, there's no changes in this Bill that existing law, and the existing law provides for, supplies a great deal of due process dealing with notices, dealing

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with a date certain when people have to get back before these properties can be demolished. So there is a hearing set up. There had been no problems in regards to that. This was just to allow for additional structures to be brought in under this, but there's plenty of due process provisions in here already."

Black: "Okay. Thank you very much, Representative."

Speaker Madigan: "Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I rise in opposition to this Bill. I have great respect for my colleague and his district is adjacent to mine, but I think it's really important that before people have their buildings demolished that something be in place to make certain that they are notified. I know of a case where a senior citizen's house caught fire, and naturally that senior citizen had to live elsewhere. The contractor had not started to do the repair work and the city came in and started to demolish her property. And fortunately for her, her son lived across the street so he was there to stop them. I know that in Chicago we do have some abandoned buildings, but I think in many districts if owners are notified of serious repairs that are needed that they will repair those buildings. And I think at a time when we have so many homeless people we make a big error if we attempt to just demolish buildings, instead of trying to repair them so that homeless people, people who are lacking adequate housing could come in and rent those properties. Some people do live in very old structures, but we know in Springfield some of these are very old structures, but what we do is, we repair them. We place siding on some of them. We brick some of them up, but we should not demolish what some people would consider excellent housing. I am very

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concerned when we want to go in and quickly demolish what some people can barely afford. The number of homeless people in our city is growing, and it's growing at a very rapid rate. That senior citizen whose house had caught fire had not been out of that place three months. Winter had not come, and they came in and they started to tear off the front of that house. As I stated, the city must put into effect some process where they are certain to notify the owners of buildings they plan to demolish. And Representative, I'm sorry, I have to give you a big strong 'no'. I'm really sorry. I cannot vote to increase the homeless population in the City of Chicago. 'No'."

Dart: "Mr. Speaker, Mr. Speaker, Mr. Speaker!"

Speaker Madigan: "Representative Hughes. Yes, Mr. Dart."

Dart: "Thank you. I wholeheartedly disagree with some of the provisions because there's due process provisions in this, but I'm going to take this Bill out of the record for the moment so that we can talk about a couple of measures."

Speaker Madigan: "Okay. This Bill shall be taken out of the record. On the Order of House Bill 248, this Bill is on the Order of Third Reading. Mr. Clerk, place this Bill on the Order of Second Reading for the purpose of Amendments. Mr. Hartke, do you wish to offer the Amendment today?"

Hartke: "No. Mr. Speaker, I'll present it to the well and we'll let it over the week."

Speaker Madigan: "Alright. So the Bill shall be left on the Order of Second Reading. On page six of the Calendar, there appears House Bill 245. This is on the Order of Second Reading. Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "House Bill 245, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill."

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No Committee Amendments. No Floor Amendments. No Motions filed."

Unknown: "Have the notes been filed?"

Clerk Rossi: "The notes have been filed and the Home Rule Note has been withdrawn."

Speaker Madigan: "Third Reading. On page 38 of the Calendar there appears House Bill 78. Mr. Clerk, what is the status of this Bill?"

Clerk Rossi: "House Bill 78, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Madigan: "Mr. McGuire."

McGuire: "Thank you, Mr. Speaker. House Bill 78, which has been mentioned, amends the Illinois Vehicle Code, provides that the chief of police or the sheriff of a county may appoint volunteers to issue citations for violators of the handicapped parking spaces. These people would be volunteers. These people would be trained and selected by the chief of police or the sheriff, whichever case it may be, and they would only ticket people who are illegally parked where handicapped parking is supposed to be, including Legislators. I would ask for your favorable support and I'll answer any questions if you have any."

Speaker Madigan: "The Gentleman has moved for the passage of the Bill. Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Black: "Representative, this is identical to a Senate Bill that I think was moving through the process about a year ago. As I recall, there were some serious questions about liability of citizens, volunteers if you will, assuming police powers. As I recall, that Bill was stripped of all the



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language and then it didn't reappear. What's different about this Bill?"

McGuire: "Nothing much is different, except the opposition has disappeared."

Black: "What happened to them? Or am I afraid to ask?"

McGuire: "I can't answer for them, but they did not oppose the Bill. I think they realize that the thought of liability is present even if it's a policeman or auxiliary policeman, or a meter maid or, it would be the same. So I think they considered it a good Bill and did not oppose it."

Black: "Well, I guess the only, one of the questions I have, could not a municipality do this by local ordinance if they wanted to? Or is that not a power given to them?"

McGuire: "I don't believe so."

Black: "Are you aware of any other state that has done this?"

McGuire: "No, I'm not. But there are areas that are asking about having this Bill approved so they can start it."

Speaker Madigan: "Would the Membership please give their attention to Mr. Black? He's feeling slighted. Please give your attention to Mr. Black."

Black: "Very perceptive, Mr. Speaker, thank you. Will, how will you determine the qualifications that the volunteers will meet? Will that be up to the local authorities?"

McGuire: "That will be up to the locals. Yes, it would be up to the locals."

Black: "Okay. Well I, I don't think I want to stand in opposition to a Bill where the opponents from last year have mysteriously disappeared, Representative. I think you probably have a good idea here. Of course there's other Bills winding through the Session that may let these volunteers take extreme action against someone who parks in a restricted parking zone. So we'll watch how those Bills

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go, as well."

Speaker Madigan: "Mr. Skinner."

Skinner: "I stand in support of this Bill and would suggest that if you vote for it, everyone who has a handicapped parking license, who is frustrated with not being able to get a parking space in front of the local Jewel, will be eternally grateful for you, to you. In answer to Representative Black's question, the state of Oregon has a similar program, there are Home Rule cities in the state of Illinois, including Chicago and Oak Park, that have successful programs. But this Bill is necessary for non-home rule units."

Speaker Madigan: "Representative Hughes."

Hughes: "Thank you, Mr. Speaker, will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Hughes: "Representative, again for clarification purposes, are there specific age requirements or anything as to the volunteers that would be enabled to ticket?"

McGuire: "No, that's not in the Bill at all. It again would be up to the locals. I believe, if you're thinking of minors, I don't think they would consider minors. And if you're thinking of older age, I think that that's up to the locals."

Hughes: "And as far as I know, it requires training, but there are no minimum standards for that training. That again would be left to the locals?"

McGuire: "I'm sorry, I couldn't hear the last part of that question."

Hughes: "Would training, are there any minimum training requirements or is that also up to the local jurisdiction?"

McGuire: "That's all up to the locals."

Hughes: "Okay. Thank you."

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McGuire: "You're welcome."

Speaker Madigan: "Mr. McGuire has moved for the passage of the Bill. Those in favor signify by saying, by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 116 'ayes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 47 of the Calendar there appears House Bill 1105, Mr. Mitchell. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1105, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Madigan: "Mr. Mitchell."

Mitchell: "Thank you, Mr. Speaker. House Bill 1105 simply expands a Bill already out there that allows for a special license plate for gold star and bronze star medal winners. For some reason a request was never submitted for a silver star license plate, commemorating those silver star medal winners, and I had a request from my district from a young man that wanted a special license plate for his father, and I want to read you just a little bit about Sergeant Forrest L. Grobe, who during a battle in Chartres, France, Sergeant Grobe was a gunner of a light tank engaged in reconnaissance of enemy positions for Company A of the 31st Tank Battalion. Sergeant Grobe volunteered, he and his light tank, volunteered to take on several strategically placed 88 millimeter guns to knock out an enemy encampment and ensure that our troops would be safe. Upon receipt of this volunteer action the commander of Company A decided that, although the German position was very strong, he would allow the volunteers to assault the enemy implacements with their lone tank. Receiving fire support

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from the Company, they ventured against the organized resistance with a single vehicle and succeeded in knocking out 10 antitank guns, taking 15 prisoners and winning that battle. It's with great humility and great pride that I get to carry this Bill to request the General Assembly to give Sergeant Grobe the honor, and every other Silver Star Medal winner in the state of Illinois, their own designated license plate as the Bronze and the Gold Star winners. I'd be happy to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. On that question the Chair recognizes Mr. Lang."

Lang: "Thank you, Mr. Speaker, will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Lang: "Representative, I'm not opposed to your Bill, but didn't we pass a law sometime in the last two years that set up a way to make an application to the Secretary of State's office for these special plates? Why do we have to bypass that?"

Mitchell: "Representative Lang, I'm glad you asked that question, because I asked that same question of that now famous Sponsor of that generic license plate that was supposed to take care of all of these situations. I talked to a couple of staff members even in that office that assured me that this would do the trick. Later I found out that these award winners for the Gold Star, the Bronze Star, and now the Silver Star aren't covered under this broad definition of the universal license plate that takes care of everything. It takes care of all of the branches of the service, it takes care of universities, it takes care of colleges, but there's nothing there in the templates for the Silver Star. That's why I had to run a separate Bill just for this particular incident."

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Lang: "So you couldn't do it based on the law we passed, so you have to pass this law? The State Police okay on the Bill?"

Mitchell: "I have not heard a thing from the State Police. I would venture to say that the Secretary of State's not real happy with this because he probably thought it was covered, as well, but we worked for almost a year to get this special plate under that Bill. It just couldn't be done."

Lang: "Well, if you worked that long, we're going to be with you, Sir. Thank you."

Mitchell: "Thank you, Sir."

Speaker Madigan: "Mr. Stephens."

Stephens: "Just to ask that there be no opposition to this legislation. We currently have Bronze Star plates. A Bronze star is a certainly a great honor, it can be given for valor. It can also be given for meritorious service. The Silver Star is given for valor, and valor alone, and it's high time that this legislation pass."

Speaker Madigan: "Mr. McKeon."

McKeon: "Thank you, Mr. Speaker, will the Speaker (sic-Sponsor) yield?"

Speaker Madigan: "The Sponsor yields."

McKeon: "Or Sponsor yield? Mr. Sponsor, do we have provisions to give special plates for Congressional Medal of Honor winners?"

Mitchell: "Yes, Representative, I believe that we do. There are several award winning special recognition categories. It just so happened this, when we started down this road several years ago there was a request made for the Gold Star. Then there was a request made for the Bronze Star. The Silver Star actually is kind of like, if we put them in rank order, in between the two, but unless the request was made the plate was never produced. So that's why we're

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here for this one."

McKeon: "But a Congressional Medal of Honor winner can, or survivor, can get the plate?"

Mitchell: "Yes, Sir."

McKeon: "Thank you."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 114 'ayes', 1 person voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Granberg in the Chair."

Speaker Granberg: "Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Currie, Chairman from the Committee on Rules, to which the following amendments were referred, action taken on March 21, 1997, reported the same back with the following recommendations: 'be adopted' Floor Amendment #1 to House Bill 401 and Floor Amendment #2 to House Bill 73. Supplemental Calendar #1 is also being distributed."

Speaker Granberg: "Representative Pugh. Representative Coy Pugh, you have an announcement?"

Pugh: "Thank you, Mr. Speaker. The announcement is the Illinois Human Services Committee will be holding a hearing April 7th in the response, Illinois' response to the Federal Welfare Reform Law. We're expecting all the Members of the Human Services Committee to be in attendance. This is on Monday, April 7, 1997, at Malcolm X College, 1900 West VanBuren, and we'll begin promptly at 1:00. At 12:00 noon we'll have lunch that will be served. We are requesting

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all of the House Human Service Committee Members to be in attendance and all other Members are invited. Thank you."

Speaker Granberg: "Representative Davis."

Davis, M.: "I'd also like to announce that the Human Service Appropriations Committee will be having a hearing at the Thompson Center on Monday, April 7th at 10:00 a.m. Howard Peters, the proposed secretary to the Department of Human Services, will be providing us with a line by line information on the budget for the new welfare law. Certainly, our Members will be there, of the Human Service Appropriations Committee, and all Members are certainly invited to the Thompson Center. That's 100 West Randolph in the City of Chicago, April 7th at 10:00 a.m. Thank you."

Speaker Granberg: "The Gentleman from Vermilion, Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. I have an inquiry of the Chair."

Speaker Granberg: "State your inquiry."

Black: "Thank you. I don't want to break up the press conference here, so I'll try to keep my voice as low as possible. I asked several questions yesterday. I don't know if you've had a chance to remember those. We'd like an answer, but we also had an event happen today, two events happen today that we'd also like answered. There was a Bill in the Pension Committee today that had not been approved by the Pension Laws Commission. Now I believe the rules state that that means it cannot go to the Committee. The Bill in question is House Bill 708. It appears to us that the lobbyist for the State Universities Retirement System told the Committee Clerk to call the Bill, put the Bill on the call, and that was done even though Chairman Murphy, and by

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the way he was the Sponsor of the Bill, supposedly questioned, and it would be on tape, that he wasn't sure why the Bill was being called. And upon adjournment of that Committee our staff inquired as to who had placed this particular Bill on the list, and we were informed that it was done so by the Committee Clerk. Now, Mr. Speaker, we would like to know if that's going to be a continuing practice to let Committee Clerks decide which Bills will be called. Because if that's the case then we will direct our staff to work with the Committee Clerk. And also, in Local Government today, that Committee adopted an Amendment to House Bill 565 that doesn't even have an LRB number on it. And again, this is a departure from the practice of either party running this chamber. We don't know how you can adopt an Amendment that does not have an LRB number, and in fact on the cover of the Amendment it says Senate Bill 1120, House Bill 565. Now, in all due respect to you, Mr. Speaker, these are two more examples of some strange things going on, and if that's the way we're going to do it, that's okay, but let us know and then we will deal with the Committee Clerk to get our Bills called and we might then want to file Amendments that don't even have LRB numbers. So, I know you may not have had time to answer my inquiries of yesterday, but add these to the record, and perhaps before we leave or at the very least when we come back, you can let us know how we're to proceed in the absence of any specific rule to the contrary, Mr. Speaker, and I thank you for your indulgence."

Speaker Granberg: "Thank you, Representative Black. Your points are always well considered. And we will discuss that further when you have time, so we can resolve that problem."



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Black: "Thank you very much."

Speaker Granberg: "House Bill 167, Representative Moffitt. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 167, a Bill for an Act concerning Property Taxes. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Knox, Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. House Bill 167, and there was some similar language that was a part of a Senate Bill, although there were significant other differences on some other language. Senate Bill, or House Bill 167 was brought to me at the request of our city assessor in Galesburg, and it would actually make our government more user friendly. All it does is give local authority as to the date that you sign up for the senior citizens assessment freeze. This authority would be given to the local government, it was already mentioned on Senate Bill 51, and a number of people have missed that date. This Bill just dealt with this one issue, the other one had a combination of things. It certainly would be more user friendly, gives increased local control, reduce confusion, we have many seniors who will go to sign up for senior homestead exemption and think they're signed up for assessment freeze, or vice versa. This puts the power at the local level, I think local assessment officials would want to make it a common date. And this was the... the Galesburg Assessor requested this, and then I think some language ended up on that other Bill, but this was a separate Bill and a local initiative. I'd be happy to answer any questions."

Speaker Granberg: "Thank you. The Gentleman moves for the passage of House Bill 167. On that are there any questions? There being no discussion, the Gentleman now

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moves for the passage of House Bill 167. All in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion (sic-question) there are 116 'aye' votes, 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Page 40 of the Calendar, House Bill 223, Representative Mautino. Representative Frank Mautino. Out of the record. House Bill 244, Representative Pankau. Representative Pankau. Out of the record. House Bill 248, Representative Hartke. Out of the record. House Bill 271, Representative Bugielski. The Gentleman in the chamber? Third Reading. Out of the record. Back to the Order of House Bills - Third Reading page 39, House Bill 221, Representative Capparelli. Representative Capparelli. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 221, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Cook, Representative Capparelli."

Capparelli: "Thank you, Mr. Speaker. House Bill 221 amends the vehicle code. It provides for special license plates to the widow, or to the parents of firemen or policemen killed in the line of duty. There's no opposition. George Ryan's on board with this Bill. I would ask for a favorable Roll Call. Thank you."

Speaker Granberg: "The Gentleman moves for the passage of House Bill 221. On that is there any discussion? There being no discussion, the Gentleman moves for the passage of House Bill 221. All in favor shall vote 'aye'; opposed shall vote 'no'. The voting is open. Have all voted who wish?

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Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this measure there are 115 voting 'aye', 1 voting 'no', 0 voting present. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 216, Representative Brunsvold. I'm sorry, House Bill 214, Representative Brunsvold. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 214, a Bill for an Act amending the Emergency Medical Services, EMS Systems Act. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill was requested by my local hospital, who has joined together three different hospitals to form a... forming right now a new hospital. Representative Myers passed a Bill last year to designate a special program for... pilot program for this designation, and this simply would add this hospital to that designation. And Mr. Myers has put an Amendment on to make sure that this is very narrowly drafted. We worked with the hospital association to do this. I know of no opposition to the Bill, and ask for the adoption of House Bill 214."

Speaker Granberg: "On that question, is there any discussion? The Lady from Lake, Representative Moore."

Moore, A.: "Thank you, Mr. Speaker. Would you ask the Clerk please to roll the, the computers are not reflecting the House Bill."

Speaker Granberg: "Representative Moore, the Clerk indicates that they are checking on the problem. They certainly wouldn't want Representative Black without him having the use of his computer. It's vital for his operation. The Gentleman

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from Vermilion, Representative Black."

Black: "Yes, I just had the repair person come down, and for the first time all Session my computer is actually working. And I have this analysis, now if somebody will come and show me how to scroll the thing up, I'm getting tired of reading one paragraph. Alright."

Speaker Granberg: "The Gentleman from Rock Island moves for the passage of House Bill 214. All those in favor shall vote 'aye'; all opposed shall vote 'no'. The Roll Call is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this matter, there are 116 'aye' votes, 0 voting 'no', 0 voting 'present'. The Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status of House Bill 216?"

Clerk Rossi: "House Bill 216 is on the Order of Third Reading."

Speaker Granberg: "Bring that back to Second. House Bill 295, Representative Lang. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 295, a Bill for an Act to amend the Illinois Pension Code. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is a Bill that went through the Pension Laws Committee as well as the Pension and Personnel Committee. This would reinstate a provision which expired in 1991 which allows full-time contractual employees of the legislative staff to buy in and get pension benefits. I would ask for your support."

Speaker Granberg: "On that question, is there any discussion? There being no discussion, the Gentleman from Cook... the Gentleman from McHenry, Representative Skinner."

Skinner: "Why would we want to do that?"

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Speaker Granberg: "The Gentleman indicates he will take your question."

Lang: "Is that the question you want to ask me? We would do that because our employees that we hire to help us deserve to be given this kind of a benefit. This is a benefit they had until 1991 when it ceased because it sunsetted. I just simply want to extend the date."

Skinner: "What pension fund are they being put in?"

Lang: "State employees."

Skinner: "Well, that's the one that everybody complains is so bad. Why would they want to be in it?"

Lang: "You haven't heard me complain about it, Representative."

Skinner: "You're not in it. Neither am I."

Lang: "That's what the Bill says, Representative."

Skinner: "And what is the cost of this estimated to be?"

Lang: "Glad you asked. The Economical and Fiscal Commission says minor."

Skinner: "That means nobody has a clue. Isn't there a difference between real employees and contractual employees, in that real employees don't have outside jobs and outside income?"

Lang: "That's my understanding of the Bill, Sir."

Skinner: "Excuse me, I'm sorry."

Lang: "That's my understanding of the Bill."

Skinner: "How many people are we talking about?"

Lang: "I don't think I know, Representative. We attempted to find out and all we could determine was, it's a very small number. And remember, those that want to get into this need to pay in."

Skinner: "Who pays the employer share?"

Lang: "Well, presumably, whoever's paying the employer share now."

Skinner: "I'm sorry, Sir. Is that you don't know?"

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Lang: "Well, all I know is that it extends the previous law. So I don't have in front of me who was paying the employer share then. I assume we do."

Skinner: "Well, perhaps you could withdraw the Bill until you have answers to questions like that."

Lang: "Sorry, Sir."

Skinner: "Perhaps you would be willing to withdraw the Bill until you have answers to..."

Lang: "No, the state pays it, Sir. The state pays it."

Skinner: "Okay, well that's a good answer. Now can you give us some warm fuzzy face that we can relate to? Or not so fuzzy face?"

Lang: "Could be someone you hire in your office..."

Skinner: "Oh."

Lang: "...who is a contractual employee."

Skinner: "Someone who might have been on the front page of a newspaper recently."

Lang: "Well, I don't know who you're talking about."

Skinner: "There's a certain former State Representative that had a job that I believe was a full-time, of a full-time nature by salary, if not by duties."

Lang: "I don't recall reading that article, but I guarantee this has nothing to do with that person, Sir."

Skinner: "Well, I think this Bill is fraught with opportunity to end up on the front page of The Chicago Sun Times and I don't intend to vote for it."

Speaker Granberg: "The Gentleman from Jackson, Representative Bost. The Gentleman from Kane, Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Granberg: "He indicates he will, Representative."

Hoeft: "On one side of this issue we have individuals who, day by day work for us. On the Republican and Democrat side we

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have staffers who virtually put their lives out on the line for us and they save us on very great number of occasions. There is however, a concern. The state has to pay their fair share. And if, in fact, our office allotments are used up either by ourselves and or the people that follow us in that office, the question is, where will that state share come from? And that has not been answered, so there is a liability here that if a staffer does come back, asks for this, and the person that succeeds you in the office then does not have money in that account, it might come back to each and every one of us to pay that contracted employee. I intend to support this. I think we have to support our staff because they certainly support us, but there are concerns and there are some substantial fiscal concerns."

Speaker Granberg: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Granberg: "He indicates he will. Proceed."

Black: "Representative, do you have a copy of the fiscal note in your file as filed by CMS?"

Lang: "Yes, I just located that. So Economic and Fisc said minor, CMS says about 11,000 to 22,000 annually. It's a pretty small price to pay for our staff members."

Black: "I think what we need to look at though, Representative Lang, on the Fiscal Note, I'm not sure that this is done correctly. And we may want to take this out of the record and have some folks look at it. It says House Bill 295 is expected to increase group insurance program expenditures between 10,950 and 21,900. I'm not sure that's correct. Why is group insurance program part of this Fiscal Note?"

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Lang: "My assumption, Sir, is that was just a misstating of what it was, but the cost seems to be right, considering Ec and Fisc said it was minor. So I'm going to presume that the cost they talked about there is correct and they just cited the wrong program."

Black: "So you want to proceed even though the Fiscal Note might be confusing?"

Lang: "I'm prepared to proceed, because if we find we're wrong and we need to correct this somehow in the Senate, we can do that, Sir."

Black: "Alright, thank you, Representative."

Speaker Granberg: "Thank you. The Lady from Lake, Representative Moore. Andrea Moore."

Moore, A.: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Granberg: "He indicates he will."

Moore, A.: "Just a couple of questions for a point of clarification. In committee was there any discussion about what kind of an impact this might have as a precedent setting measure?"

Lang: "No."

Moore, A.: "Would you like to guess as to how many contractual employees might be out there that would be asking for this same kind of benefit?"

Lang: "We have checked and the information is not available. And I remind you, Representative, that in this Bill it does indicate... this is not forever, this is until January 1, 1998 (sic-July). We're just opening a window for these folks until July of 1998. And so it's a small period of time for people that already would have earned this if they were doing this work back in 1991. So we're just giving them this little window. This is not ad infinitum into the future."



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Moore, A.: "It is very difficult not to support something like this because, as we all know, there are windows open from time to time in the General Assembly Pension System. However, the precedent setting issue, I think, is one that is of concern. Do you know, would there be any kind of an effect on the Department of Employment Security as an example, if we are having employees with benefits do they, do they, contractual employees with benefits, are they viewed differently by the Department of Employment Security, and when they leave, as an example, would they then be eligible for unemployment?"

Lang: "Representative, these people we're talking about are contractual. They're not actual employees in the first place. So DES would have no concern. And in fact, they had no witness slip in committee, as I recall."

Moore, A.: "No. I understand, but that's always the thing with DES, their interpretation of what is an employee and who is, who gets their 1099 is always the rub. Sometimes they will interpret it in a way that, and it does relate to benefits. And I wondered if there was any impact here with that?"

Lang: "I can't answer your question, other than to say they haven't raised this as a concern. I appreciate that you are. So we're talking about pension benefits here, and therefore the pension folks will interpret who is and who isn't involved here, not DES."

Moore, A.: "Thank you."

Speaker Granberg: "The Gentleman from Livingston, Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Granberg: "Indicates he will."

Rutherford: "Representative Lang, just to be real simple on this,

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it would be a contractual employee and let's say they worked for a Legislative District Office for one year, you're saying that they could buy in that one year of pension time?"

Lang: "That's correct."

Rutherford: "Is there any type of ongoing expenditure necessary once that employee's contractual obligation has been met and fulfilled?"

Lang: "Well, the Bill allows individuals to establish served credit of up to eight years. So if they only work one year, they pay in their contributions that ought to be the end of it. This would allow them until July 1998 to buy in up to eight years and then we're finished with that obligation, as well. This is to help staff that has worked for all of us, Sir."

Rutherford: "Right, I appreciate that. Obviously, that's very important for all of us. The other question then is, let's say for example, someone was a retired Legislator, and some Member of the Illinois General Assembly decided to hire them on in contract, they would be able to buy into the state employee program. Could they then take later and buy the upgrade and buy into the General Assembly retirement plan so that they've basically enhanced their retirement pension?"

Lang: "Well, are you suggesting a situation where somebody would then be involved in two different retirement plans, is that what you're asking me?"

Rutherford: "No. It would be similar to a former state employee who gets elected to the Illinois General Assembly can take and convert the state employee pension program that they've got, pay the additional what the difference between what that was to the General Assembly Program, and be able to

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have those years of credit go to the General Assembly Retirement Plan. My question is then, if someone who is retired from the Illinois General Assembly was hired by a Legislator as a contractual employee for six months for a very large amount of money, they would be able to take that amount of time, buy into the state pension, employee pension plan and do a conversion to a General Assembly Plan?"

Lang: "I guess you could make that argument, but any State Legislator that would do that would certainly have some ethical problems and some publicity problems that I don't think they'd want to buy into."

Rutherford: "Well, that didn't quite answer my question."

Lang: "Well, I presume they could."

Rutherford: "Okay. Thank you very much."

Speaker Granberg: "The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Granberg: "Indicates he will. Proceed."

Parke: "Thank you. Representative Lang, let me get this straight, if we pass this Bill you would like those contractual staff members to be able to buy the pension credits, pay for it themselves, is that correct?"

Lang: "Yes."

Parke: "What about the state portion, do they pay that too?"

Lang: "Yes."

Parke: "They pay the... that's not the way we read this."

Lang: "Well, no, no, I don't think they do... wait one second, Representative. They pay the employee contribution plus interest. We've been through this already. One of the other Members on your side of the aisle asked this question, Sir."

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Parke: "Well, the fact of the matter is, and the Body should realize that they're only going to pay their portion, the portion of the state is paid by the state. Therefore, when you do this, the state now has an obligation, an unfunded liability obligation to the system, therefore, there's going to be an expense. Now you say maybe 11,000, 22,000, well if you protract that out over the life of these contracts, you're starting to talk some real money. And again it depends on how many people are going to go into this system. Now, I think it's only fair if you want to develop this window, Representative, you ought to let them pay their portion and the state portion. And in my opinion I don't think that that is fair to the people that are in that system. So if you have people in the state retirement system that come and complain to you because you're putting more people into their system without paying their fair share, then shame on you. I don't think this is a good idea. I don't think it's fair to the people who are already state employees. And I'm surprised that the unions didn't come out against this. So I think this is something that we ought not to do, or the Sponsor should pull it from the record and work on finding some answers to allow the questions that weren't answered that he doesn't have answers for."

Speaker Granberg: "Thank you. There being no further discussion the Gentleman from Cook moves for the passage of House Bill 295. On that, all in favor shall vote 'aye'; all opposed shall vote 'no'. The Roll Call is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 69 'aye' votes, 43 'no' votes, 3 voting 'present'. This Bill, having received the Constitutional Majority, is

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hereby declared passed. House Bill 325, Representative Silva. Representative Silva. Out of the record. House Bill 349, Representative Lindner. Lindner, Representative Lindner. Representative Lindner, do you wish to call your Bill, Ma'am?"

Lindner: "Yes I do."

Speaker Granberg: "Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 349, a Bill for an Act to amend the Water Well and Pump Installation Contractors License Act. Third Reading of this House Bill."

Speaker Granberg: "The Lady from Kane, Representative Lindner."

Lindner: "Yes, thank you, Mr. Speaker. This amends the Water Well and Pump Installation Contractors License Acts, and only says that when you apply for a renewal of the license that you have to show that you have fulfilled a continuing education requirement, which is one day every two years. This is supported by the Illinois Department of Public Health, the Cook County Department of Public Health, and numerous other departments. I would ask for a favorable vote."

Speaker Granberg: "On this question, the Gentleman from Macon, Representative Noland."

Noland: "Thank you, Speaker. Will the Sponsor yield?"

Speaker Granberg: "She indicates she will."

Noland: "Representative, why does a downstate plumber, a licensed plumber, why would they need this contractor's license? What is the need for it if they are already a licensed plumber?"

Lindner: "It does not apply to any plumber unless that plumber installs water wells."

Noland: "Exactly, so if a licensed plumber comes to my farm home and wants to work on my well pump and they're a licensed

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plumber, then why should they have to have this license?"

Lindner: "It's not an extra license, they already have a license.

It's not a extra license, there's no fee or examination.

It's only that they have to show that they've had continuing education if they are going to work with water wells, because of the fact that there is new technology all the time, and that people who install pumps should be aware of this technology."

Noland: "I understand you're going to grandfather the plumber in.

However, you're going to require them to take continuing education when they already are a licensed plumber. And the plumbers I've spoken with don't see the need for it. Now I understand your concern about the well drilling, but a licensed plumber, to my thinking doesn't need this license of this need for continuing education. So, as we talked before I've got some reservations and I'll oppose it."

Speaker Granberg: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Granberg: "She indicates she will."

Black: "Representative, I'm interested in the position of the plumbers up in the Cook County area. I've noticed that they, they were neutral. Can you tell me why they were neutral on this fine piece of legislation?"

Lindner: "No I can't. I haven't heard from any plumbers on this legislation. I haven't heard of any opposition of any plumbers."

Black: "I thought so, Representative. How many water wells do you have in your district, Representative?"

Lindner: "I'm not sure how many I have in my district,

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Representative, but there are 400,000 water wells in Illinois and there are also 7,800 new wells installed every year. We have a lot of new development in our district and actually the genesis of this Bill was that when there was a well being drilled for a subdivision, 23 other wells went dry in another subdivision. So, obviously the people who do install water wells and pumps should keep track of the new technology and also know where the aquifers are in certain areas. And the continuing education requirement would address this."

Black: "Well, I appreciate that, Representative, and I, I get no particular thrill in standing in opposition to your Bill, but we come from different areas of the state. And in all due respect to you and Ladies and Gentlemen of the House, you know this constant demand of the General Assembly to send everybody back to school might be good for people that are running continuing education schools for water wells and pump installation, but I submit to you in downstate rural Illinois where it's very hard to find a licensed plumber and well driller to take care of our installations, what am I going to tell my constituents when they can't get a well drilled this spring because their plumber is off to the institute of higher education learning how to put in pumps, which he has put in all of his or her life? They do keep up with the technology. They wouldn't be able to stay in business if they didn't keep up with the technology. Let's quit micromanaging every aspect of people's lives in this state. I dare say the metropolitan plumbers took no position on the Bill because it won't impact them, they don't do water well and pump installation, so what do they care? Well I'll tell you, those of us downstate care. And we would just like to say, 'Look, unless you're going to

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move a northwestern campus downstate, quit making us drive all over the State of Illinois for continuing education on things that we have forgotten more than most of you in the urban areas are ever going to know.' We don't need any more of this stuff. If you want our water wells and our pumps, move on down, I've got some land I'll sell you. Leave my plumbers alone. Get your urbanized hands off my water pump. Vote 'no'."

Lindner: "Representative Black, I am absolutely outraged that you would be against this Bill when I have millions of letters from the Department of Public Health. And I have so many from the Department of Public Health all over this state that support this Bill and that you would be against this important health measure is beyond belief. I have nothing further to say."

Speaker Granberg: "Thank you. The Gentleman from Effingham, Representative Hartke."

Hartke: "Well, she's not going to answer my questions? Will the Sponsor yield?"

Speaker Granberg: "I'm not sure. She indicates she will."

Hartke: "Well, Representative Lindner, I'm a little bit confused here. We're talking about well drillers and we're talking about plumbers. Can you tell me the difference and why are you putting the two together? Is there not a separate license for both?"

Lindner: "I'm not talking... anybody who holds an Illinois plumbing license who does not have anything to do with water wells, is not affected by this Bill."

Hartke: "This Bill is addressing the well drillers as well. Now, I don't know that the two are together. Do you have to get a license or a permit to drill a well?"

Lindner: "Yes."



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Hartke: "Who do you get that license from now?"

Lindner: "This doesn't have anything to do with licensing. Everybody here is already licensed. It only has to do with continuing education if you install and drill water wells."

Hartke: "Do you own one of those schools?"

Lindner: "Pardon me?"

Hartke: "Do you own one of those schools? Are you a professional driller or plumber?"

Lindner: "No I don't, but now that we're making all these people go to school there, I sure wish I did."

Hartke: "I really think that we ought to stand in real opposition to this Bill. Which committee did this come out of anyway?"

Lindner: "This is an initiative of the Illinois Ground Water Professionals, who are a very professional organization, concerned about our water supply. We need to be concerned about the aquifers and the water supply in Illinois. And all of the Departments of Public Health are behind this too."

Hartke: "Is this a women's issue that you're concerned about here? Come on."

Lindner: "Actually, I don't know of any women water well pump installers."

Hartke: "Well, I don't know, I don't want to vote against the women of this state but I really think this is a bad concept and a bad idea. Maybe one of these days..."

Lindner: "Well, would you like to read the letter from the Effingham County Health Department?"

Hartke: "Now wait a minute. Let me ask you a question. I'm not arguing with that and that's the point I was getting at. You've got to get a permit to drill a well in probably every state that has a county health department, not every

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one does. So, you're mixing licensing of plumbers with the permit from the health department to drill a well. They are two different subjects completely. So that's my point."

Lindner: "No, no we're not mixing these at all. Because if you are a plumber and you don't drill water wells, you don't have to go to this burdensome education of one day every two years."

Hartke: "Oh, I still think it's a bad idea and I'm opposed to this piece of legislation and I would urge all of my colleagues downstate to vote against this piece of legislation. Thank you."

Speaker Granberg: "The Gentleman from Jo Davies, Representative Lawfer."

Lawfer: "I think this subject's been well discussed, but I would like to point out that the President of the Well Drillers Association is from Jo Davies County, this has had strong support from the Well Drillers Association. They do not live in Representative Lindner's area. The Leadership is in the rural area and it is an initiative not only for the well drillers but the plumbers that work on the wells to be educated and kept up to date so that it can be done professionally. I would urge a 'yes' vote."

Lindner: "Thank you."

Speaker Granberg: "The Lady moves for the passage of House Bill 349. All in favor shall vote 'aye'; all opposed shall vote 'nay'. The Roll Call is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 55 'aye' votes, 51 'no' votes, 8 voting 'present'. This, Bill having failed to receive the Constitutional Majority... Representative Lindner."

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Lindner: "May I have this on Postponed Consideration?"

Speaker Granberg: "We're for Representative Lindner. The Lady ought to have that opportunity. Representative Black."

Black: "I would just remind the Representative that the distaff side of this chamber passed continuing ed for hairdressers and beauticians a few years ago, and then they repealed it a few years later when the hairdressers and beauticians wouldn't do their hair. What's fair for the goose is fair for the gander. Take the record, Mr. Clerk."

Speaker Granberg: "Postponed Consideration. The Gentleman from Madison, Representative Stephens."

Stephens: "Well, Mr. Speaker, I'm quite disappointed, I wasn't allowed to speak on the last issue. Representative Noland sent a message to me, he wants to know if it's continued policy that Members shall be allowed to stand on their chairs?"

Speaker Granberg: "Only Representative Lindner. Representative Younge, House Bill 1197. Representative Wyvetter Younge. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1197, a Bill for an Act to amend the Public Community College Act. Third Reading of this House Bill."

Speaker Granberg: "The Lady from St. Clair, Representative Younge."

Younge: "Thank you, Mr. Speaker. There's no opposition to House Bill 1197. It amends the Public Community College Act. It closes out certain affairs of state community college that was abolished and turned certain funds over to the new college, Metropolitan Community College, and it authorizes the Illinois Community College Board to pay certain debts and to turn certain monies over to the general fund from the State Community College Income Fund and Contracts and

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Grants Fund. The Bill is supported by the Illinois Community College Board and the Illinois Community College Trustees Association. I move for the passage of the Bill."

Speaker Granberg: "The Lady from St. Clair moves for the passage of House Bill 1197. On that question the Gentleman from Madison, Representative Stephens. Please do not get up on your desk."

Stephens: "Would the Lady yield for a question please?"

Speaker Granberg: "She indicates she will."

Stephens: "Representative, I just want to be assured and assure the rest of the Body, are there any of these Bills that have to do with the lease of a Lincoln Town Car by the president of the new college?"

Younge: "I don't believe so. This Bill has to do with debt of the, our bills of the state community college. Any matter having to do with a car would have to do with Metropolitan Community College. So, therefore would not be in this subject matter."

Stephens: "Are any of these bills that are due to former employees or vendors to state community college, is there any controversy concerning the bills, or have they been certified to be valid by any auditing firm that you're aware of?"

Younge: "I don't know. These bills have been processed through the Illinois Community College Board. This is a Illinois Community College Board Bill. And whatever the process is, they have done that, I am quite comfortable."

Stephens: "Well, Representative, I appreciate that, but having lived in Madison, St. Clair County and having been born in St. Clair County where this institution is, where the college was and the new college is, I have to tell you that the history of the payment of bills and whether or not the

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validity of those bills was ever made public, leads me to believe that the proper vote on this is 'present'. With all due respect to the Illinois Community College Board and its new Executive Director, Joe Cipfi and Metropolitan Community College and the Illinois Board of Higher Education, I urge a 'present' vote."

Speaker Granberg: "Anything further? There being nothing further, the Lady from St. Clair, I'm sorry Representative Weaver, the Gentleman from Coles."

Weaver: "Thank you, Mr. Speaker. I just rise in support of this Bill. These are bills that had been accrued by the previous community college system down there. It is endorsed by the Community College Board, by the Board of Higher Education. These are bills that we actually owe because we dissolved that community college down there and tried to start over. So these are bills that are just and due, and it's about time we paid them."

Speaker Granberg: "There being nothing further, the Lady from St. Clair moves for the passage of House Bill 1197. On that question all in favor shall vote 'aye'; all opposed shall vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 'aye' votes, 0 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 740, Representative Mautino, you indicated you wished to call the Bill. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 740, a Bill for an Act to amend the School Code. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Bureau, Representative Mautino."

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Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I bring today House Bill 740, which amends the School Code, increases the length of minimum school term to 190 days from 185 days. This does not affect the number of days for actual teaching of students. What this does is allows a five day period for the planning, and it allows basically that if we have Act of God Days, which are an extreme number of days that cause cancellation of school, it can be built into the plan. I ask for your 'aye' vote."

Speaker Granberg: "On that question, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Representative (sic - Mr. Speaker). Will the Sponsor yield?"

Speaker Granberg: "He indicates he will."

Black: "Does this call for the continuing education requirements of those people who make downstate school calendars?"

Mautino: "Not the last time I checked."

Black: "Oh, I've got the wrong Bill. My concern about the Bill, Representative, if you lengthen the school year by statute, does that not have some ramifications for contractual agreements and bargaining that may be taking place this spring?"

Mautino: "No, actually it doesn't. In this case, right now, say for example you had planned a couple of extra days in the school year and you got a blizzard, everybody got trapped in, you would have to go to the state board and ask them to grant you what are called Act of God Days, where basically we give the money and then don't require the teaching or the make up on them. Most districts do make them up, all the days in the Act of God. This just gives them a cushion and was requested by the regional superintendents."

Black: "I think I'm on your wavelength now. In other words,

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rather than have the five day cushion that the current law allows, you're giving a 10 day cushion. Is that what you're doing?"

Mautino: "Basically, yeah."

Black: "Okay. So, if there are no well drillers and plumbers certified to fix the well that goes bad in a downstate school, and therefore you have to close until they can get out of their continuing education at Harvard or Yale, if the school has to stay closed because the pump doesn't work for up to eight days, then this is going to cover that, right?"

Mautino: "Well, I'd debate you from higher ground, but I don't know if my chair would take it. So, we're all set and we're covered."

Black: "An outstanding piece of legislation, Representative. I congratulate you on this. I'm actually trying to stall until I can get a slip over there so I can be a cosponsor, but I don't know what happened to the staffer. But thank you."

Mautino: "I'd be proud to add you to the Bill."

Speaker Granberg: "Representative Black, do you need more time? Representative Black. Any further discussion? The Gentleman from Bureau moves for the passage of House Bill 740. On that question, all in favor shall vote 'aye'; all opposed shall vote 'no'. The Roll Call is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 'aye' votes, 1 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 741. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 741, a Bill for an Act to Amend the

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School Code. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I bring House Bill 741 that amends the School Code and provides that the term of office of the regional superintendent of schools, in office on June 30. It's basically changing the date that they will take office to the 1st day of July. Currently right now the, your county officials take office at the same time, and this has created a problem, just because of the structure of the school year, and so we would like to take and move the date for those elected officials to July 1. I would ask for an 'aye' vote."

Speaker Granberg: "Anything further? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Granberg: "He indicates he will."

Black: "Representative, this Bill has a kind of a curious pedigree. I was checking the odometer and this has had a detour or two through the process. Wasn't this Bill assigned to subcommittee at one time?"

Mautino: "It was assigned to the subcommittee on regional, or superintendents' issues in the Elementary and Secondary Education Committee, where it passed out unanimously."

Black: "Was that assigned to that subcommittee by virtue of a vote of the committee or by virtue of the Chairman's action?"

Mautino: "I believe that the committee... it was sent to the committee... you know what, hold on one second we'll get that for you. By the Chair. And then as Chair of the



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subcommittee, we handled the Bill from there."

Black: "I...and I always admire a Chairman who accepts full responsibility for his or her actions, but can you cite the House Rule by which this Bill was detoured into subcommittee? We have new rules and I get confused on those."

Mautino: "(sic - Rule) 10C, I'm told."

Black: "Wait a minute, wait a minute. Let me check, just a moment, Mr. Speaker, that doesn't sound right to me."

Mautino: "And I will be checking with the member of staff who gave me that information."

Black: "And we're checking with our staff. They don't have the same view of this as you do. Just a second. Representative, I think that the rules are silent. Rule 10C does not say that the Chair can do that, and in the absence of enabling language, Rule 40 says that the Chair can send Amendments to subcommittee. Nowhere in the rules can we find that a Chairman can capriciously or arbitrarily assign a Bill to subcommittee."

Mautino: "We're checking on this right now. Be right back with you."

Speaker Granberg: "The Gentleman from Kendall, Representative Cross. Representative Cross, do you have an announcement?"

Cross: "Yes, thank you, Mr. Speaker. I made a major mistake earlier, I apologize to you and everybody. Representative Kubik is excused today. He's not here and has not been voting. No votes earlier. So if you could reflect that."

Speaker Granberg: "The record shall so reflect. The Gentleman from Madison, Representative Stephens. Representative Stephens, for what reason do you rise?"

Stephens: "Point of personal privilege for those who are interested. Mt. Vernon Rams are leading in the first

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quarter over Aurora West, 7 to 0."

Speaker Granberg: "Thank you, Representative, they have previously beaten Centralia, so we did not want to acknowledge that. The Gentleman from Skokie, Representative Lang, for what reason do you rise?"

Lang: "Thank you very much. An answer to Mr. Black's inquiry. House Rule 14 covers the issue of subcommittees and is very clear that the Chairperson can form a subcommittee by filing a notice with the Committee Clerk. Pretty simple operation."

Mautino: "And I do believe that the Chairman, Chairman Phelps had, in the initial forming of the committee itself, designated three subcommittees. And then this Bill summarily ended up within the jurisdiction of the regional superintendent's issues."

Black: "In all due respect, Mr. Speaker, we aren't arguing the point that the Chair can create a subcommittee, we understand that. We can find no place in your rules, nowhere in the rules does it provide for the Chair to arbitrarily assign a House Bill to a subcommittee. You can create them, you can name the Members, you can send Amendments, but nowhere, your rules are silent, I'm sure they won't be silent for long, but at least they're silent to my reading of the rules that a Chair cannot capriciously and arbitrarily assign a Bill to a subcommittee. And that's, that's the point that we're trying to make. I don't stand, necessarily in opposition to the Bill, it's just the process. This was a new Bill and by the time it got detoured to a subcommittee, it's a used Bill."

Speaker Granberg: "The Gentleman from Effingham, Representative Hartke, for what reason do you arise?"

Hartke: "Well, I'm not going to argue about the process here or

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the rules. I've got a question on the Bill. Will the Sponsor yield?"

Speaker Granberg: "Just a moment, Representative Hartke. Representative Black's light is still on. Representative Black, are you finished with your questioning?"

Black: "Well we would, may we expect an answer prior to the vote as to our inquiry as to whether or not your rules were violated on the circuitous path that this Bill has taken to come before us today?"

Speaker Granberg: "Representative Black, we always appreciate your comments."

Black: "Yes, I know you do. And I'm still waiting for some answers that I asked you yesterday. But all we ask is that you let us know how this is going to be held. The substantive committee could have assigned the Bill, that's clearly in your rules. We just want to know what rules we're going to operate under, Mr. Speaker, that's all."

Speaker Granberg: "Representative Lang indicated the rule provision that gave the authority to the Chairman, Representative."

Black: "Is he now the Parliamentarian?"

Speaker Granberg: "He's not on contract."

Black: "That's probably the only job he's not seeking at the current time, but whatever."

Speaker Granberg: "This is the statewide Parliamentarian."

Black: "I'm sorry, did you say he was on contract?"

Speaker Granberg: "Not on contract."

Black: "Maybe that's where that pension Bill came from. I was confused."

Speaker Granberg: "The Gentleman from Effingham, Representative Hartke."

Hartke: "Well, thank you very much. Representative Mautino."

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Mautino: "Yes."

Hartke: "I have a question. You put off the dates for the effective time period and when the dates for the superintendents-elect would take office. Does this affect any elected superintendent that now serves or has been elected to start his term of office?"

Mautino: "No, it does not."

Hartke: "So, the date here, and it makes imminent sense in my mind to support this legislation and to move that effective date back when the new superintendents would take over their new duties to a more timely basis to affect the school year. I stand in support of the legislation."

Speaker Granberg: "Thank you. Anything further? There being no further discussion, the Gentleman from Bureau moves the passage of House Bill 741. On that question, all in favor shall vote 'aye'; all opposed shall vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 105 'aye' votes, 9 'no' votes, 1 voting 'present'. This Bill, having received the Constitutional Majority is hereby declared passed. Representative Rutherford, I believe you wanted House Bill 1169 called."

Rutherford: "Yes please, Mr. Speaker. House Bill..."

Speaker Granberg: "Read the Bill, Mr. Clerk. Excuse me, Representative."

Clerk Bolin: "House Bill 1169, a Bill for an Act concerning the Secretary of State. Third Reading of this House Bill."

Speaker Granberg: "Go ahead."

Rutherford: "House Bill 1169 changes the definition of photograph in the Illinois Statute such that digitally produced and captured images can be used on drivers licenses. This is a

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request from Secretary of State, George Ryan, so that we can go ahead and move into the next generation of license, driver's license capabilities. I'd be glad to answer any questions."

Speaker Granberg: "On the Bill is there any discussion? There being no discussion, the Gentleman from Livingston, Representative Rutherford, moves for the passage of House Bill 1169. All in favor shall vote 'aye'; all opposed shall vote 'no'. The Roll Call is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 'aye' votes, 1 voting 'no', 0 voting 'present'. House Bill 1169, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 291?"

Clerk Bolin: "House Bill 291 is on the Order of Third Reading."

Speaker Granberg: "Return the Bill to Second Reading. House Bill 488. Representative Saviano, did you wish to call that Bill? Is the Gentleman in the chamber? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 488, a Bill for an Act to amend the Illinois Pension Code in relation to the Metropolitan Water Reclamation District Act. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Cook, Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 488 is an initiative that I've worked on for the last two years with the Water Reclamation District Pension Fund. Everything has been worked out, it's all agreed. And I would ask for a favorable vote on this Bill. Thank you."

Speaker Granberg: "The Gentleman moves for the passage of House

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Bill 488. On that question is there any discussion? I'm sorry, the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Granberg: "He indicates he will."

Parke: "Yes, Representative Saviano, did the Metropolitan Water Reclamation District sign off on this Bill?"

Saviano: "Yes, they have. And it went through the Pension Laws Commission with recommendation to consider. The district itself came to me with this legislation. Myself and Senator Walsh have had numerous meetings down at the district with their pension plan and with their board, Commissioner Majewski. We've been meeting, we've met probably 12 or 15 times regarding this legislation."

Parke: "And this commission has their own pension system, or are they part of another system?"

Saviano: "They have their own pension system."

Parke: "And what does this do? Does this increase the benefits? Does it put more people in it? What, in essence, does this Bill do?"

Saviano: "In essence it allows, the Water Reclamation District because of the tax cap needed to, for budgetary reasons, to heighten their attrition rate, and this Bill would enable more of the older employees to go ahead and take retirement and lower the overall operating expenses of the district."

Parke: "Thank you very much."

Speaker Granberg: "Thank you. Any further discussion? There being nothing further, the Gentleman from Cook, Representative Saviano moves for the passage of House Bill 488. On that question all in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question,

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there are 99 'yes' votes, 11 'no' votes, and 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1051, Representative Brunsvold...and downstate as well... Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1051, a Bill for an Act to amend the Hunter Interference Prohibition Act. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Department of Natural Resources Bill. It simply clarifies language in the Hunter Harassment Act. It redefines interference with, it tightens the language that was in the original Bill. We were one of the first states in the Union to pass a Hunter Harassment Bill, now all 50 states have some form of a Hunter Harassment Bill. This language, provided by the Department of Natural Resources, defines those, as I had said. It also tightens up the language and what you can and can't do. We've added some language, specifying certain activities dealing with visual, olfactory and food presenting to animals that might interfere with legal and lawful taking of game in the state. I don't know of any opposition of this Bill. I would ask for support of this House and passage of 1051."

Speaker Granberg: "The Gentleman moves for the passage of House Bill 1051. Is there any discussion? The Gentleman from Cook, Representative Dart."

Dart: "Thank you. Will the Sponsor yield?"

Speaker Granberg: "He indicates he will."

Dart: "Representative, can you explain to me what exactly is this all technical language or is there any new Acts or

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provisions that you're creating here?"

Brunsvold: "The language actually had to be changed over the years. We found out that there were some situations that this harassment Bill didn't address. Tightened up that language, became more specific so that going to court it would not be as difficult to prove harassment."

Dart: "What type of incidents are you referring, when you talk about harassment, what is exactly the..."

Brunsvold: "Well, examples would be, putting out some sort of bait to keep animals away from natural places where the hunters would be, putting scents out so that animals would be attracted away from the hunters, flying airplanes over hunters has happened here locally, or up in the northwest, things like that."

Dart: "That stuff has all happened? That stuff is all heard?"

Brunsvold: "Yes, absolutely."

Dart: "Who is it that does this stuff?"

Brunsvold: "The anti-hunter groups."

Dart: "Has anybody been prosecuted under this?"

Brunsvold: "Yes, they have."

Dart: "How many?"

Brunsvold: "... number, but there was one very evident, one that was prosecuted here recently and spent some time in jail."

Dart: "What's the penalty here?"

Brunsvold: "Mr. Lang, is it... Class B misdemeanor, I believe is the penalty."

Dart: "Yeah, Class B misdemeanor."

Brunsvold: "Class B misdemeanor."

Dart: "Okay. By and large though, the Act that's on the books right now, you're just making some changes with the law?"

Brunsvold: "It tightens it up so it would be better in court. The language is pretty vague in some cases, and we had to



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tighten up the language."

Dart: "Okay, thank you."

Speaker Granberg: "Anything further? The Gentleman from Kankakee, Representative Novak."

Novak: "Yes, Mr. Speaker, will the Sponsor yield?"

Speaker Granberg: "He indicates he will."

Novak: "Representative, I just had a thought here, let's say you're out goose hunting and you're in the goose pit, 5:00 a.m. and it's cold and here comes this big goose, and you know they mate for life so if you shoot the wife the husband is lost for the rest of his life and vice versa. But let's say you're trying to shoot this goose and you miss him or her and the goose keeps coming at you, and the goose is mad at you now because you tried to shoot the goose. Now if the goose comes at you and let's say, drops something on you, would that be considered as hunter harassment? Could that goose be prosecuted?"

Brunsvold: "That has happened to you I realize, Representative Novak, but no that's not hunter harassment."

Novak: "I'm just curious. So that goose could not be prosecuted?"

Brunsvold: "Absolutely not."

Novak: "Okay, thanks."

Speaker Granberg: "The Lady from Cook, Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker. There have been some areas where, populated areas where there have been some deer that have been, according to some of the residents, causing problems. So there was a decision, in order to call the herd and to stop the nuisance, that they would kill the deer, and there's been some controversy in these more urban or suburban areas. So, would a group of citizens who felt

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that the appropriate way to deal with this so-called nuisance was not just to kill off all the deer. Would those individuals, who are engaged in some sort of protest against that kill, be considered...why not it seems that way to me?"

Brunsvold: "You're dealing with hunter harassment in areas that are legal to hunt. A lot of these areas, I think you're talking about, it wouldn't be legal to hunt in those areas anyway. If they're protesting something, the taking of game by the department even, or by a group hired to take the animals out of that area. That's really not what this Bill does. You're doing a legal, freedom of speech activity there. This is more addressed in legal hunting areas where game is being taken legally with license. Some of the park districts and places like that, it's not legal to hunt deer."

Schakowsky: "Can you just give me an example of any situation in Illinois, so I can get a sense of where these interferers, these, you know people are interfering with hunting?"

Brunsvold: "Well, the recent case was a hunting club in the northeast area of the state, where there were some hunters partaking in a hunt and they were buzzed by an airplane during that process. That's harassment."

Schakowsky: "They were buzzed?"

Brunsvold: "Yeah, they were..."

Schakowsky: "And what is the penalty now for buzzing in..."

Brunsvold: "Class B misdemeanor."

Schakowsky: "And what is that? What will that entail? Are we talking about a potential jail sentence for buzzers?"

Brunsvold: "It could be. Representative Lang, what is it \$500, and six months? Is that... from my lawyer friends, five hundred dollars and six months, I think, yes."

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Schakowsky: "So, as a result of this Bill, if you buzz you can get six months?"

Brunsvold: "He could have, yeah, I don't know if he served the six months."

Schakowsky: "Thank you very much."

Speaker Granberg: "Anything further? The Gentleman from Cook, Representative Lang."

Lang: "Thank you. Will the Sponsor yield?"

Speaker Granberg: "Indicates he will."

Lang: "Representative, there's nothing in this Bill about a concealed rifle, is there? I just want to make sure."

Brunsvold: "Absolutely not."

Lang: "Alright. So, I have some concerns about the First Amendment rights of these folks that might want to keep you from killing this goose, but on page 2 of the Bill, line 17 through 20, 'this would be an illegal act to use natural or artificial visual, oral, olfactory, gustatory, or physical stimuli to affect animal behavior in order to hinder or prevent the lawful taking of a wild animal.' What do you mean by gustatory?"

Brunsvold: "Food type, intestinal type materials."

Lang: "So you're not referring to the bodily functions of the person, you're referring to something else?"

Brunsvold: "Well, I suppose that could all be included in something like that, but you're trying to attract game away from or discourage them from doing their natural things."

Lang: "So, are there any cases on record where somebody has... I don't know how to ask this question. Any cases on record where somebody has stimulated the animals olfactory senses so they would run away so you couldn't shoot that goose?"

Brunsvold: "I don't know of any, but that could have happened."

Lang: "You're providing for the possibility that that could

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happen?"

Brunsvold: "Yes, we're trying to be inclusive here."

Lang: "Well you certainly have been inclusive. Great Bill, I'm for it. I don't know what it does."

Brunsvold: "This is not my first Bill. You would think it was."

Speaker Granberg: "Anything further? There being no further discussion, the Gentleman moves for the passage of House Bill 1051. All in favor shall vote 'aye'; opposed shall vote 'nay'. The Roll Call is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 87 'aye' votes, 17 'no' votes, 7 voting 'present'. House Bill 1051, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 4... House Bill 1300, Representative Skinner, do you wish to call the Bill? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1300, a Bill for an Act to amend the Swimming Pool and Bathing Beach Act. Third Reading of this House Bill."

Skinner: "Mr. Speaker, Members of the General Assembly, it's time to end beach nannism on the part of the Illinois Department of Public Health. I am a member of a Property Owners' Association that owns four beaches on Crystal Lake, the fifth or sixth cleanest lake in the State of Illinois. And this past summer at a picnic, I was approached by some members of my Property Owners' Association saying, 'You know the Department of Public Health is going to force us to put two port-a-potties, a telephone, a ring buoy with a 25 foot cord, a first-aid kit, a garbage can with a top, and a sign saying, put babies in diapers in rubber pants, or plastic pants, and by the way don't drink the beach water.' I quickly figured out how much this would cost me,

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and it's 30 bucks a year. I consider that a property tax increase without a referendum. Now, why did the Department of Public Health do this? There is a very serious problem at Rock Cut State Park. I underline the word state. There was an outbreak of E coli during the summer of 1995, several children became quite seriously ill. In order to solve this problem at state parks, the Department of Public Health decided to mandate all of these requirements for every private beach in the state with more than five swimmers. The extent of this problem is reflected in the sponsorship that goes from as far south as Representative Phelps' district to the Wisconsin border. I ask you to free us from the beach nannies or at least force the Department of Public Health to prove that there's a problem at each beach at which it wishes to impose unfunded mandates. If anybody has any questions about this overreach of, overreach of bureaucratic power, I would be happy to answer them."

Speaker Granberg: "Any questions on House Bill 1300? The Gentleman from Winnebago, Representative Scott."

Scott: "Will the Gentleman yield for some questions?"

Speaker Granberg: "He indicates he will. Proceed."

Scott: "Thank you, Mr. Speaker. Representative Skinner, does E coli know the difference between a public and a private beach?"

Skinner: "Nobody's found any E coli at a private beach."

Scott: "Well, that's not really the point though. I mean, I think the point of these regulations is to stop the health hazard. And the health hazard, you're right it did occur at a public beach and it was terrible consequences for the children and the other people who were involved in that particular incident. But my question is, if the

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regulations are good enough at a public beach, and we put those administrative rules in, if there's overreaching, why isn't it overreaching for the public beaches as well?"

Skinner: "Well, you know, Representative, people drown in water. Maybe we should tell... maybe the public health people should require there be a lifeguard at every beach with five swimmers or more. It's a question of where you draw the line, Representative."

Scott: "Right. That's what I'm asking. If this is overreaching for the private beaches, why isn't it overreaching for the public beaches?"

Skinner: "Excuse me. Are you sure you didn't reverse the adjectives?"

Scott: "No, no. You're saying that we overreached when we put in these administrative rules, the Department of Public Health went too far when they put in these rules, and you're trying to exempt out now private beaches from these particular rules, because they go too far with respect to private beaches. My question is, if that's the case, why aren't they also going too far for public beaches?"

Skinner: "Because there's a demonstrable problem at Rock Cut State Park, and at a public hearing that the Department of Public Health managed to have after all the rule-making process had finished with beach owners in Northern Illinois, one of the people there from Fox Lake said that the problem still hadn't been solved at the public beaches. The people were going to the bathroom in the weeds at Zion Beach, because the State Department of Natural Resources still had not solved the problem of providing adequate places to go to the bathroom."

Scott: "Right. So my question is, if we determine that adequate places for restroom facilities, if we've determined through

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the rules what adequate restroom facilities are, why is that too much for private beaches?"

Skinner: "Well, Representative, so far the Department of Public Health's best guess as to how the E coli got into Rock Cut State Park, is it came out of a diaper of a baby who took a bowel movement. Now how one gets from babies having bowel movements to two port-a-potties at every private beach is beyond me. Most babies do not go to the bathroom in a port-a-potty."

Scott: "What's the Department of Public Health's position on this right now?"

Skinner: "Uncompromising. The day of the Budget Message, I spoke personally to Director Lumpkin and said, 'If you've got something in these rules that are really important to you, tell me. I'll give it to you. I've drawn this Bill to be as harsh on you as we think you have been harsh on us.' After the Bill got out of committee, I approached the Governor's Legislative Liaison Office and told him I was still willing to negotiate. I said, 'By Tuesday, come back and give me something.' They did not come back to me by Tuesday. I called again on Wednesday. Finally the intermediary came back and said, 'Director Lumpkin refuses any compromise whatsoever.'"

Scott: "Let me ask one more time, just so I'm clear. If you in your opinion, it's obvious your opinion is pretty strong, you think these particular rules go too far for private beaches, why did you not pick out whatever you think are the Draconian Rules and also exempt public beaches from those particular rules that you think are too harsh?"

Skinner: "I'm not sure any of these rules are too harsh for a public beach, Representative."

Scott: "See, that's where you lose me. Because what we're

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talking about is a communicable disease that comes from certain things as you pointed out a little bit earlier on, and that doesn't make any difference whether that happens at a private beach, like Pearl Lake north of Rockford, which is a privately owned for-profit beach, as opposed to Rock Cut State Park. E coli doesn't know the difference between those two beaches."

Skinner: "Well, I can tell you that at our beaches we restrict who comes to them. At a public beach you can't restrict who comes in."

Scott: "That's fine. Thank you, Mr. Speaker."

Speaker Granberg: "Anything further? There being no further questions, the Gentleman from McHenry moves for the passage of House Bill 1300. All in favor shall vote 'aye'; all opposed shall vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 53 voting 'aye', 52 voting 'no'; the Gentleman from McHenry, Representative Skinner, for what purpose do you rise?"

Skinner: "Mr. Speaker, I would ask this be on Postponed Consideration."

Speaker Granberg: "The Bill is put on Postponed Consideration. Mr. Clerk, what is the status of House Bill 401?"

Clerk Rossi: "House Bill 401, this Bill's been read a second time previously. Floor Amendment #1, offered by Speaker Madigan, has been approved for consideration."

Speaker Granberg: "Return the Bill to Second Reading. The Gentleman from Cook, Speaker Madigan."

Madigan: "Mr. Speaker, House Bill 401 would create a tax free savings account to finance college expenses: tuition expenses, living expenses. And this Amendment would



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provide that the tax free money could not be used to purchase an automobile. I move for the adoption of the Amendment."

Speaker Granberg: "The Gentleman moves for the adoption of the Amendment. Is there any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Granberg: "He indicates he will. Proceed."

Black: "Representative, what's the position of the new car dealers on this Amendment?"

Madigan: "They're in opposition."

Black: "What ever happened to the old slogan, 'What's good for General Motors is good for the USA.'"

Madigan: "That was repudiated by the Roosevelt administrations."

Black: "You know now that you mention it, things have never been the same since. What if the parents argue that without some kind of transportation the child can't get to and from the campus?"

Madigan: "Transportation expenses would be a permitted use."

Black: "But not, not an automobile?"

Madigan: "Not the purchase of an automobile. Our concern is that a child is on a four year program, somewhere in the third or fourth year the parents tell the child, 'we're going to buy your graduation gift early and pay for it out of the tax free account.'"

Black: "Well, I had a child on a five year program. So I like the sound of that four year program."

Madigan: "I know, it's unusual now a days."

Black: "What if you use the proceeds to lease an automobile, rather than purchase?"

Madigan: "That would be permitted."

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Black: "They could rent a car from Hertz or Avis as well, right?"

Madigan: "Correct."

Black: "And if they really wanted to, they could hire a limousine to go back and forth."

Madigan: "If they wanted. Now, they have to put the money in the account first. It's their money that's in the account."

Black: "A catch."

Madigan: "It's their money that's in the account. So there will be some concern about how the money is spent."

Black: "But after the year 2002 they cannot fly in or out of Meigs Field, if that's my understanding.?"

Madigan: "Correct. That's another restriction that we want."

Black: "Well, this sounds like a good Amendment to a Bill that was a little shaky without the Amendment. We'll reserve judgement on that, but I think we can support this Amendment. Now, pursuant to the House Rules, I was going to ask for a record vote and a verification, but I decided not to."

Speaker Granberg: "Thank you, Representative Black. On the Motion to Adopt Amendment #1 to House Bill 401, all in favor say 'aye', opposed say 'nay'. The 'ayes' have it, the Amendment is adopted. Third Reading. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Granberg: "Third Reading. On Supplemental Calendar #1, appears House Bill...Motion to Discharge House Bill 886. Representative Winkel. The Gentleman from Champaign, Representative Winkel."

Winkel: "Thank you, Mr. Speaker. I would ask that the Body consider allowing this Motion to discharge House Bill 886 from the State Government Administration and Election Reform Committee. It was a matter of, as we all face

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today, a lot of conflicts. I was just a couple minutes late, I thank the Chairman of the committee for waiting, but we just simply didn't connect up. And what I would propose to do is, if this Bill is discharged from committee, I do desire to have it sent back to committee, before the whole committee so that we can have the proper hearing and have the witnesses appear and give it due consideration. And I would ask a 'yes' vote on this Motion."

Speaker Granberg: "Any discussion? The Gentleman from Cook, Representative Giles."

Giles: "Thank you, Mr. Speaker. I oppose to this Motion to Discharge this Bill out of committee. We, over the past two weeks, we have heard a lot of Bills. I have worked with the Minority Spokesperson to attain all of the Members' Bills on the other side of the aisle in this committee. We made an attempt to call Representative Winkel to call this Bill, and for some reason that did not happen. So therefore, because of the subject matter of the Bill, we need a hearing on that Bill, we need to have testimony on that Bill. So I would oppose this discharge."

Speaker Granberg: "Anything further? The Gentleman from Washington, Representative Deering."

Deering: "Thank you, Mr. Speaker. To the Motion. I see on today's Calendar that we are up to House Bill 2269. Quite a few Bills have been introduced since this Bill was introduced, this Bill is 886. We've had committees for the last four weeks. It seems to me, in the experience in some of the committees, that committees have met and adjourned because no one wanted to call their Bills. There's been ample time to call these Bills in committee and have them heard. I think procedurally we should oppose the Discharge

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Motion, because if we're going to start discharging Bills why even have committees? Let's introduce the Bills and just hear them on the floor. So, I also stand in opposition to the Motion."

Speaker Granberg: "The Lady from Lake, Representative Clayton."

Clayton: "Thank you, Speaker. I'm Spokesman on that committee and Representative Winkel had two Bills to present today. He presented one and then was asked not to present the second one, it would be done later. At the later time, we got that silly voice mail instead of his office to be able to find him. And at that time, the Chairman very graciously suggested that he would be able to ask for a discharge from committee. So that was the story behind it. And I would certainly urge people to support the Motion."

Speaker Granberg: "Thank you. The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. We should be resisting this Discharge Motion. I don't know how many meetings of the State Government Committee we had. This is House Bill 886, it's not like Mr. Winkel filed this Bill yesterday or the day before on the filing deadline. This was filed some time ago. He had much opportunity to come before the committee with this Bill. He was not in the committee today when he had the opportunity to move it along, he probably had other business to do, but this is not about what people had time to do today, this is about what people had time to do for the last six or eight weeks around here. If you look on the Calendar, you see a lot of names of people that got their Bills out a long time ago. And those that worked hard to get their Bills out early, did so. And I think we should resist Discharge Motions where Members, particularly on these low number Bills, had the opportunity

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to move their Bills previously, but refused to do so."

Speaker Granberg: "The Gentleman from Jackson, Representative Bost."

Bost: "Yes, I just rise in support of this. You know as the previous speaker said, we should be able to get those Bills out. Had, at the beginning of this process, we been able to move Bills out of committee and not try to jam everything into the last two to three weeks, we probably could. I do support his Motion. And I hope that everybody on this floor, in an act of bipartisanship, will do that."

Speaker Granberg: "The Gentleman from Cook, Representative Schoenberg."

Schoenberg: "I urge my colleagues to resist the Discharge Motion. While some may have waited weeks, myself included, waited at least two years. There's been plenty of time. Enough is enough. Vote 'no'."

Speaker Granberg: "The Gentleman from Champaign, Representative Winkel, to close."

Winkel: "Yes, I'd be glad to close. Representative, two Representatives, the Representative before the last, Sir, you weren't even in committee. I don't know how you'd know whether I was there to present or not. Representative Clayton stated it exactly so. I had two Bills, I presented the first one, I was told not to present the second. I was there, prepared, had my witnesses and was prepared to go ahead, and the Chair of that committee graciously said that he would make sure that it would be heard. I understand that it was a matter of waiting for some data for State Board of Elections, that's why we waited until the last minute. We still haven't gotten that data. It would have been evidence that we could have presented in committee in support of our Bill, that's why we waited. So, yes, I was

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delayed, we missed each other by about two minutes today. To make this the example, I think, is inappropriate and especially by somebody who wasn't even there himself. Representative Schoenberg, and I did use your name I guess, I did, yeah there I go, I introduced this Bill last year and the year before that too, so, I've been waiting for more than two years myself."

Speaker Granberg: "Thank you. The Gentleman from Champaign, Representative Winkel, moves to discharge House Bill 886. On that question, all in favor shall vote 'aye'; all opposed shall vote 'no'. The Roll Call is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 54 'aye' votes, 54 'no' votes, 0 voting 'present'. The Motion is defeated. House Bill 713, Motion to discharge committee. Representative Wojcik."

Wojcik: "Thank you, Mr. Speaker and Members of the House. I do move that we discharge House Bill 713 from the Committee of Personnel and Pensions, and I'll tell you why. The Bill has been posted on the Calendar and posted on the Calender, and I was ready to go to committee yesterday and present my Bill. And I went and talked to Representative Murphy and Representative Murphy said, 'Well, you can't have the Bill heard because it didn't go through the commission.' And I said, 'What commission?' I did not know about the Pension Law Commission. And then a precedent was set listening to Representative Black, where House Bill 708 was extended out of the committee this morning. So, therefore, I say as Representative Black uses the goose and the gander, 'If it's good for the goose, it's good for the gander.' So it was an innocent mistake. It's a constituent of mine in my district that needs to have this done. So I would ask the

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august Body if they would consider a Motion for Discharge?"

Speaker Granberg: "On the Motion for discharge on House Bill 713, is there any discussion? The Gentleman from Washington, Representative Deering."

Deering: "Thank you, Mr. Speaker. In response to the, to my colleague's request, with all due respect to the Sponsor, she... her side of the aisle established the Pension Laws Commission back in the spring, I believe, of 1995. It was a partisan Roll Call, the commission was established. It was established to the rule that any Pension Bill, before it would be heard by the Pension Committees would have to be heard by the Pension Laws Commission. So it's nothing we did in the last month or two. And as far as the Bill being heard today, if the Bill would have come through the commission, we heard numerous Bills today that the commission had given their approval on. We even adjourned before the allotted time frame that the committee was scheduled to hear Bills. The Representative, being in Leadership, would have been given the opportunity to move in and have her Bill heard immediately, or as soon as the next spot was open. And in reference to the other Bill that supposedly passed without commission approval and leadership approval, that same Bill passed the Senate unanimously in the Pension Committee and the President of the Senate, I believe, made a ruling that that was not a Pension Bill, that the subject matter was not a Pension Laws Commission matter and for that reason, that was the reason that the Bill moved today. So, I stand in opposition to this Bill, or to this Motion. Again, there has been ample time. I think we should oppose this."

Speaker Granberg: "The Gentleman from Vermilion, Representative Black."

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Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. If you're going to allow House Bill 708 to come to the floor when you violated your own rules, I don't particularly care what the President of the Senate said about the Senate Bill, and I'm sure when that applicable Senate Bill comes over it will be treated fairly by the House Rules Committee. The President of the Senate can make any statement he wants to about a Senate Pension Bill. That does not carry any weight on House Bill 708, which you have advanced to the floor in violation of at least two of your rules. And, furthermore, the Chairman is... and again we can get the tape, the Chairman of the committee, himself, stated that, why was this Bill being called? And our staff went to your staff and thank goodness staff has always been able to work in a bipartisan way down here, and asked how did this Bill get called, even the Chairman had expressed incredulity that it was called. And we find out that a lobbyist or a liaison, or whatever they're called these days, from SURS had told the Committee Clerk, asked the Committee Clerk, I don't know, told maybe too strong, asked the Committee Clerk to put the Bill on and have the Bill called and this was an objection we raised earlier today that you've not answered. Now if we are going to be able to go to Committee Clerks and get Bills called by that method we would just simply like to know that. I don't think that's what you intend to do. I think the Representative has a point, she's not asking for any consideration that violates the spirit of anything in the fact that we have already moved a Pension Bill out of that committee this morning, or whenever it occurred in the last few hours, in abject violation of the rules. And you don't seem the least bit concerned to take that Bill back for



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another hearing. So I don't think that the world will come to an end if we allow the Representative's Motion to prevail. I'm sure that she would even work out an arrangement with you that the Bill could go back to committee for a hearing. But to deny her the right to hear the Bill when you have already advanced another House Bill does not bode well for the spirit of cooperation that we've heard so much about this year. I hope that at least some of you can see your way to vote 'aye' and advance the Representative's Bill so it can at least get a fair hearing."

Speaker Granberg: "Thank you, the Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. I am a Member of the Pension Laws Commission and I must confess to you that coming out of the blocks here on that commission there's been a great deal of confusion and false starts, a lot of problems in the course of getting our focus and getting our organization in place to move efficiently with these subjects. I would further tell you that House Bill 713 addresses a very tragic circumstance in the Lady's district and I would hope in this case that we could make an exception and discharge this from committee and not have some bipartisan dispute over this issue. It's one that I think had our commission been properly functioning and in a way that I hope we will be functioning, this certainly would have been out a long time ago. It's with that that I would ask you to join me in voting for this Motion. Thank You."

Speaker Granberg: "The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. I have the same comment I had on the last Bill. This is House Bill #713, it was filed

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February 19th of this year. Long ago this Bill could have been called by the Sponsor. Long ago she could have found about the Pension Laws Commission. This has nothing to do with what she could or couldn't accomplish today. This has to do with what the Sponsor could have done for the last six weeks. Vote 'no'."

Speaker Granberg: "The Gentleman from Kane, Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. I think this is a classic we're talking about. Are we going to be technical or are we going to be humane?"

Speaker Granberg: "The Lady from Cook, Representative Wojcik to close."

Wojcik: "Well, I think I've heard the remark about it's been posted on the... and I should have followed up, but I have to tell you it was not posted for committee until this week, and when I found out that it was posted, I immediately started doing what was right. I went and talked to the Members and what have you. So to say that homework wasn't done and other things is absolutely erroneous. It's amazing that House Bill 708 is only five numbers under mine and it passed out of the Bill (sic-committee). So if you can see your way clear to vote for this, it is a tragic situation in my district and I just ask for your favorable vote. Thank you."

Speaker Granberg: "The Lady from Cook, Representative Wojcik moves to discharge House Bill 713 from committee. All in favor of the Discharge Motion shall vote 'aye'; all opposed shall vote 'no'. The Roll Call is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this...the Gentleman from Washington, Representative Deering, for what purpose

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do you rise?"

Deering: "Mr. Speaker, I move for a verification."

Speaker Granberg: "The Roll Call was not announced. The Gentleman is within his rights. He moves for a verification. Mr. Clerk."

Clerk Rossi: "A poll of those voting in the affirmative. Representatives Ackerman. Bergman. Biggert. Biggins. Black. Bost. Brady. Brosnahan. Burke. Clayton. Coulson. Cowlshaw. Cross. Crotty. Erwin. Feigenholtz. Hassert. Hoeft. Howard. Hughes. Johnson, Tim. Johnson, Tom. Jones, John. Klingler. Kosel. Krause. Lawfer. Leitch. Lindner. Lyons, Eileen. Lyons, Joseph. McAuliffe. McCarthy. Meyer. Mitchell. Moffitt. Moore, Andrea. Moore, Eugene. Morrow. Mulligan. Myers. Noland. Pankau. Parke. Persico. Poe. Pugh. Roskam. Rutherford. Ryder. Saviano. Schoenberg. Skinner. Stephens. Tenhouse. Turner, John. Wait. Weaver. Winkel. Winters. Wirsing. Wojcik and Zickus."

Speaker Granberg: "Representative Ryder requests leave to be verified. Representative Deering. So acknowledged. Proceed, Representative Deering."

Deering: "Representative Kosel."

Speaker Granberg: "Representative Kosel. Representative Kosel, she is present in the chamber."

Deering: "Representative Persico."

Speaker Granberg: "Representative Vince Persico. Is the Gentleman in the chamber? Remove him. Representative Deering, do you have anything further?"

Deering: "Representative Schoenberg."

Speaker Granberg: "Representative Schoenberg. Is the Gentleman in the chamber? Representative Jeff Schoenberg. Remove him."

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Deering: "Representative Tom Johnson."

Speaker Granberg: "Representative Tom Johnson. Is Representative Johnson in the chamber? Tom Johnson. Remove him."

Deering: "Representative Tim Johnson."

Speaker Granberg: "Representative Tim Johnson. Is the Gentleman in the chamber? Representative Tim Johnson. Remove him. On this question, there being 59...the Lady from Cook, Representative Wojcik."

Wojcik: "Got it. No."

Speaker Granberg: "On this question, there being 59 'aye' votes, 44 'no' votes, this Motion having failed to receive the Majority, is declared lost. Mr. Clerk, the Adjournment Resolution. Representative Wait, House Bill 748. You have a request to move that back to Second? Mr. Clerk, what is the status of House Bill 748?"

Clerk Rossi: "House Bill 748, is on the Order of Third Reading."

Speaker Granberg: "Return to Second. The Adjournment Resolution."

Clerk Rossi: "SENATE JOINT RESOLUTION #25 BE IT RESOLVED, BY THE SENATE OF THE NINETIETH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the Senate adjourns on Thursday, March 20, 1997, it stands adjourned until Wednesday, April 9, 1997, at 12 o'clock noon; and when the House of Representatives adjourns on Friday, March 21, 1997, it stands adjourned until Tuesday, April 8, 1997, at 12:30 p.m., and when it adjourns on that day, it stands adjourned until Wednesday, April 9, 1997."

Speaker Granberg: "The Gentleman from Williamson, Representative Woolard. For what reason do you rise?"

Woolard: "Thank you, Mr Chairman. I would like to remind all the Members of the Agriculture and Conservation Committee that

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on April 4th, in Vienna, Illinois we will be holding a hearing on the reintroduction of elk into the State of Illinois. Be 8:30 a.m. on the 4th of April. Thank you. Vienna."

Speaker Granberg: "Representative Currie now moves that we adopt...the House adopt the Adjournment Resolution. All in favor say 'aye'; opposed say 'no'. The Resolution is adopted. The Lady from Cook now moves that the House stand adjourned allowing perfunctory time for the Clerk until the House is scheduled to return to Session. All in favor say 'aye'; opposed 'no'. The 'ayes' have it. The House stands adjourned."

Clerk Rossi: "The House Perfunctory Session will come to order. Committee Reports. Representative Giles, Chairman from the Committee on State Government, to which the following Bills referred, action taken on March 21, 1997, reported the same back with the following recommendations: 'do pass Short Debate' House Bills 76, 77, 556, 621, 795, 885, 904, 1159, 1251, 1992, 821, 1437, 1512, 1529, 1540, 1684, 2223; 'do pass as amended Short Debate' House Bills 566, 1757, 1646; 'do pass Standard Debate' House Bills 823, 900, 901, 902, 1145, 1175, 1404, 1436, 1729, 1755, 1765, 1767, 1772, 1912, 2288, 1718; 'do pass as amended Standard Debate' House Bills 1920, 2050. Representative Gash, Chairman from the Committee on Judiciary II, to which the following Bills were referred, action taken on March 21, 1997, reported the same back with the following recommendations: 'do pass Short Debate' House Bills 859, 1029, 1117, 1184, 1194, 1207, 1209, 1366, 1368, 2063, 2065, 2097, 2167, 2259; 'do pass as amended Short Debate' House Bills 481, 545, 711, 2027, 2067, 2122, 2123, 2171, 2174, 2239; 'do pass Standard Debate' House Bills 1109, 1913, 1914, 2068, 2158; 'do pass

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as amended Standard Debate' House Bill 723. Representative Phelps, Chairman from the Committee on Elementary & Secondary Education, to which the following Bills were referred, action taken on March 21, 1997, reported the same back with the following recommendations: 'do pass Short Debate' House Bills 2077, 1544, 1506, 1282, 1202, 654; 'do pass as amended Short Debate' House Bills 1526, 1272, 452, 449, 2076; 'do pass Standard Debate' House Bill 1620; 'do pass as amended Standard Debate' House Bill 689. Representative McGuire, Chairman from the Committee on Aging, to which the following Bills referred, action taken on March 21, 1997, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 1316, 1320, 1487, 1783, 1784, 1844."

Clerk Rossi: "Introduction and First Reading of Resolutions. House Resolution 81, offered by Representative Capparelli; House Resolution 82, offered by Representative Giglio; House Resolution 83, offered by Representative Schakowsky. Rules Committee. First Reading of these Senate Bills. Introduction - First Reading of Bills. Senate Bill 902, offered by Representative, John Turner, a Bill for an Act concerning the Practice of Optometry. Senate Bill 908, offered by Representative Woolard, a Bill for an Act to create the Illinois Farm Economic Development and Renewable Fuel Act. House Bill 927, offered by Representative Brunsvold, a Bill for an Act to amend the Jury Act. House Bill 930, offered by Representative Granberg, a Bill for an Act amend the State Mandates Act. First Reading of these House Bills. Introduction - First Reading of Bills. Senate Bill 950, offered by Representative Wood, a Bill for an Act concerning vehicles, amending named Acts. Senate Bill 952, offered by Representative Cross, a Bill for an Act

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providing for choice of law and forum. Senate Bill 953, offered by Representative Rutherford, a Bill for an Act to provide for the registration and protection of trademarks, service marks, and trade names. Senate Bill 1070, offered by Representative Black, a Bill for an Act to amend the School Code. Senate Bill 1072, offered by Representative Phelps, a Bill for an Act to amend the School Code. Senate Bill 171, offered by Representative McKeon, a Bill for an Act to amend the Juvenile Court Act. Senate Bill 558, offered by Representative Beaubien, a Bill for an Act to amend the School Code. First Reading of these Senate Bills. Senate Bill 431, offered by Representative Moffitt, a Bill for an Act to amend the Illinois Low-Level Radioactive Waste Management Act. Senate Bill 593, offered by Representative Biggins, a Bill for an Act to amend the State Comptroller Act. Senate Bill 645, offered by Representative Bradford, a Bill for an Act to amend the Illinois Income Tax Act. Senate Bill 665, offered by Representative Murphy, a Bill for an Act to amend the Illinois Pension Code. Senate Bill 781, offered by Representative Coulson, a Bill for an Act to amend the School Code. Senate Bill 862, offered by Representative Black, a Bill for an Act to amend the Illinois Highway Code. Senate Bill 910, offered by Representative Woolard, a Bill for an Act in relation to the regulation of wine, amending named Acts. Senate Bill 934, offered by Representative Shirley Jones, a Bill for an Act to amend the Public Utilities Act. Senate Bill 700, offered by Speaker Madigan, a Bill for an Act relating to competition in the telecommunications industry, amending named Acts. Senate Bill 30, offered by Representative Brunsvold, a Bill for an Act concerning vehicles, amending named Acts. Senate

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Bill 76, offered by Representative Erwin, a Bill for an Act in relation to structural work actions. Senate Bill 194, offered by Representative Deering, a Bill for an Act to amend the Illinois Pension Code. Senate Bill 196, offered by Representative Mautino, a Bill for an Act to amend the Illinois Insurance Code. Senate Bill 240, offered by Representative Pankau, a Bill for an Act to create the Office of the Inspector General. Senate Bill 417, offered by Representative Cross, a Bill for an Act concerning employee leasing companies. Senate Bill 423, offered by Representative Hannig, a Bill for an Act in relation to health care benefits for certain retired community college employees and their dependents, amending named Acts. Senate Bill 428, offered by Representative Fantin, a Bill for an Act to create the Illinois Building Commission. Senate Bill 469, offered by Representative Skinner, a Bill for an Act to amend the Illinois Public Labor Relations Act. Senate Bill 490, offered by Representative Coulson, a Bill for an Act to amend the Illinois Insurance Code. Senate Bill 493, offered by Representative Brunsvold, a Bill for an Act in relation to gaming. Senate Bill 495, offered by Representative Churchill, a Bill for an Act to amend the Boat Registration and Safety Act. Senate Bill 610, offered by Representative Boland, a Bill for an Act to amend the Illinois Optometric Practice Act. Senate Bill 672, offered by Representative Moffitt, a Bill for an Act concerning genetic information, amending named Acts. Senate Bill 682, offered by Representative Deering, a Bill for an Act to amend the Clerks of Courts Act. Senate Bill 711, offered by Representative Hughes, a Bill for an Act concerning certain surgical procedures, amending named Acts. Senate Bill 713, offered by Representative McGuire, a Bill for an Act in



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relation to fire department promotions. Senate Bill 723, offered by Representative Scott, a Bill for an Act to amend the Hotel Operators' Occupation Tax Act. Senate Bill 753, offered by Representative Boland, a Bill for an Act amending a named Act. Senate Bill 755, offered by Representative Currie, a Bill for an Act to amend the Illinois Public Aid Code. Senate Bill 800, offered by Representative Wait, a Bill for an Act in relation to transportation. Senate Bill 801, offered by Representative Brady, a Bill for an Act to amend the Illinois Insurance Code. First Reading of these Senate Bills." Introduction - First Reading of Bills. Senate Bill 67, offered by Representative Cowlshaw, a Bill for an Act to amend the School Code. Senate Bill 81, offered by Representative Kubik, a Bill for an Act to amend the Property Tax Code. Senate Bill 101, offered by Representative Hoeft, a Bill for an Act to amend the Illinois Pension Code. Senate Bill 130, offered by Representative Churchill, a Bill for an Act to create the Local Government Contract Lobbyist Disclosure Act. Senate Bill 186, offered by Representative Acevedo, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 200, offered by Representative Winters, a Bill for an Act in relation to elections. Senate Bill 222, offered by Representative Daniels, a Bill for an Act to amend the School Code. Senate Bill 226, offered by Representative Cowlshaw, a Bill for an Act to amend the School Code. Senate Bill 235, offered by Representative Brunsvold, a Bill for an Act to amend the Emergency Medical Services Act. Senate Bill 245, offered by Representative Kosel, a Bill for an Act to amend the School Code. Senate Bill 303, offered by Representative Parke, a Bill for an Act to amend the Jury Commission Act. Senate Bill 327, offered by

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Representative Lang, a Bill for an Act to amend the Alzheimer Disease Assistance Act. Senate Bill 345, offered by Representative Dart, a Bill for an Act regarding confidentiality of foster placement records, amending named Acts. Senate Bill 342, offered by Representative Clayton, a Bill for an Act relating to school districts with a population exceeding 500,000 inhabitants. Senate Bill 524, offered by Representative Bost, a Bill for an Act in relation to taxes, amending named Acts. Senate Bill 529, offered by Representative Wirsing, a Bill for an Act to amend the Public Community College Act. Senate Bill 559, offered by Representative Noland, a Bill for an Act to amend the School Code. Senate Bill 560, offered by Representative Phelps, a Bill for an Act to amend the School Code. Senate Bill 561, offered by Representative Phelps, a Bill for an Act to amend the Illinois Human Resource Investment Council Act. Senate Bill 587, offered by Representative Churchill, a Bill for an Act to amend the Good Samaritan Act. Senate Bill 589, offered by Representative Noland, a Bill for an Act to amend the State Treasurer Act. Senate Bill 595, offered by Representative Schoenberg, a Bill for an Act to amend the Real Estate License Act. Senate Bill 603, offered by Representative Churchill, a Bill for an Act to amend the Illinois Optometric Practice Act. Senate Bill 605, offered by Representative Churchill, a Bill for an Act to amend the Regulatory Agency Sunset Act. Senate Bill 660, offered by Representative Churchill, a Bill for an Act to amend the Higher Education Student Assistance Act. Senate Bill 680, offered by Representative Bugielski, a Bill for an Act in relation to financial institutions, amending named Acts. Senate Bill 685, offered by Representative Santiago, a Bill

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for an Act to amend the Consumer Installment Loan Act. Senate Bill 690, offered by Representative Kubik, a Bill for an Act concerning certain financial institutions, amending named Acts. Senate Bill 709, offered by Representative Cowlshaw, a Bill for an Act to amend the School Code. Senate Bill 720, offered by Representative Daniels, a Bill for an Act to amend the School Code. Senate Bill 747, offered by Representative Kubik, a Bill for an Act to amend the State Finance Act. Senate Bill 785, offered by Representative Lang, a Bill for an Act in relation to State government, amending named Acts. Senate Bill 793, offered by Representative Churchill, a Bill for an Act to amend the Criminal Code. Senate Bill 794, offered by Representative Saviano, a Bill for an Act to amend the Interest Act. Senate Bill 807, offered by Representative Churchill, a Bill for an Act to amend the Illinois Public Aid Code. Senate Bill 818, offered by Representative Kosel, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 827, offered by Representative Parke, a Bill for an Act to amend the Criminal Code. Senate Bill 837, offered by Representative Morrow, a Bill for an Act to amend the Public Community College Act. Senate Bill 844, offered by Representative Parke, a Bill for an Act to amend the Condominium Property Act. Senate Bill 848, offered by Representative Winkel, a Bill for an Act to amend the Public Community College Act. Senate Bill 852, offered by Representative Coulson, a Bill for an Act concerning rehabilitation services, amending named Acts. Senate Bill 856, offered by Representative Andrea Moore, a Bill for an Act in relation to taxes, amending named Acts. Senate Bill 860, offered by Representative Kosel, a Bill for an Act to amend the Illinois Public Aid Code. Senate Bill 861,

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offered by Representative Churchill, a Bill for an Act to amend the Illinois Public Aid Code. Senate Bill 901, offered by Representative Deering, a Bill for an Act to amend the Illinois Clinical Laboratory and Blood Bank Act. Senate Bill 921, offered by Representative Noland, a Bill for an Act to amend the Criminal Code. Senate Bill 956, offered by Representative Mulligan, a Bill for an Act to amend certain Acts in relation to mental health and developmental disabilities. Senate Bill 1041, offered by Representative Cowlshaw, a Bill for an Act to amend the Uniform Interstate Family Support Act. Senate Bill 1074, offered by Representative Meyer, a Bill for an Act to amend the Technology Advancement and Development Act. Senate Bill 1097, offered by Representative Durkin, a Bill for an Act to amend the General Not-For-Profit Corporation Act. First Reading of these Senate Bills."

Clerk Rossi: "There being no further business, the House Perfunctory Session stands adjourned. The House will reconvene in Regular Session April 8th, at 12:30 p.m."